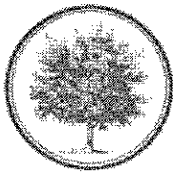


**From:** The Buckeye Institute  
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**To:** Kasych, Shawn  
**Subject:** After Attending Oral Arguments in Janus v. AFSCME Buckeye's Robert Alt Reacts

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**FOR IMMEDIATE RELEASE**  
February 26, 2018

### **After Attending Oral Arguments in Janus v. AFSCME, Buckeye's Robert Alt Reacts**

**Columbus, OH** -- Robert Alt, president and chief executive officer of **The Buckeye Institute**, issued the following statement after attending the oral arguments in *Janus v. American Federation of State, County, and Municipal Employees, Council 31* at the Supreme Court of the United States.

"Today, Mark Janus, and all hard-working public employees, had their day in court. Mr. Janus's lawsuit has the potential to be one of the most important labor and free speech cases in the past 40 years.

"Justice Kennedy, who is traditionally a swing vote on the Supreme Court, asked very tough questions of the union lawyers, in which he expressed major concerns about the speech at issue being both compelled and political. Given how frequently Justice Kennedy is in the majority, his questions have to be a cause of concern for those seeking to continue the practice of forcing public servants to pay for union speech with which they may disagree.

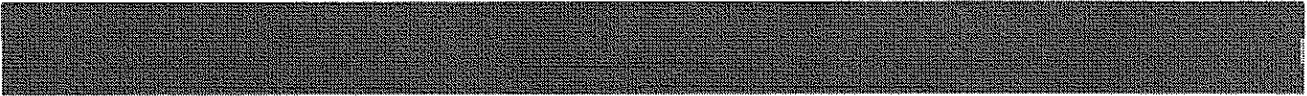
"What Mark, and others before him have done is not easy. Standing up for your rights and the rights of others is rarely an easy thing to do, but it must be done. It is immoral for the government to force hard-working public servants to pay for political speech with which they disagree under the threat of being fired. It is also unconstitutional."

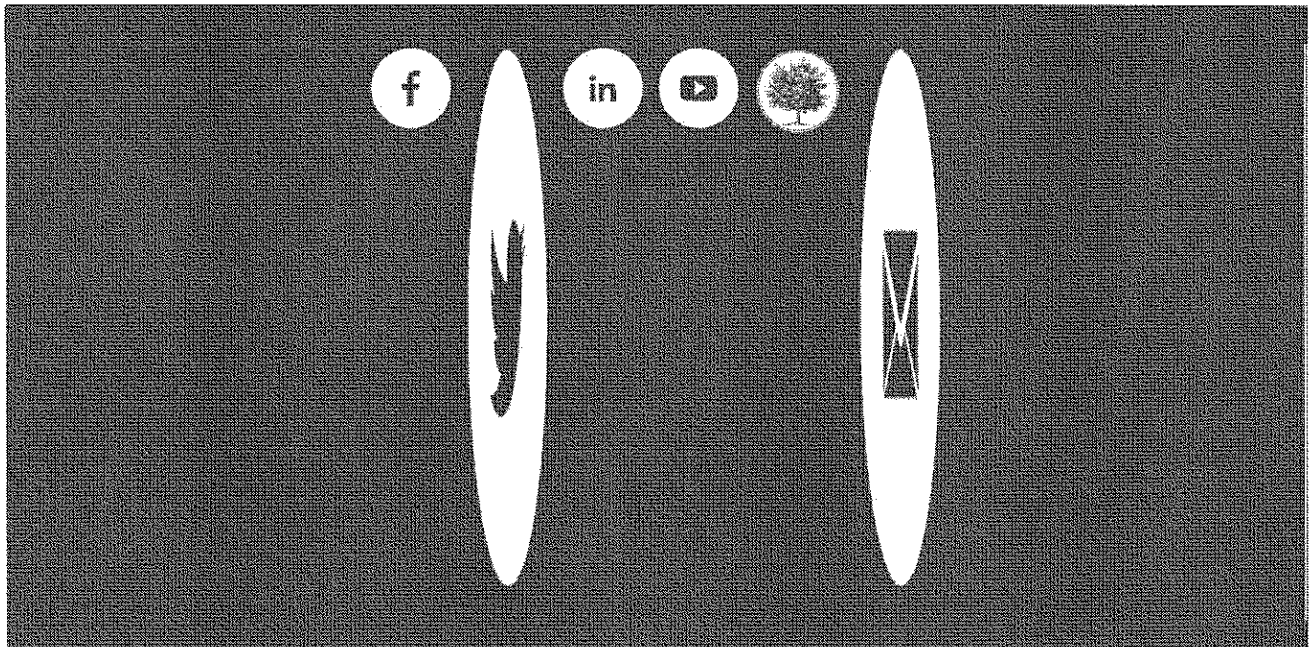
The Buckeye Institute **filed briefs** with the Supreme Court of the United States supporting the free speech rights of public employees like Mr. Janus.

###

*Founded in 1989, The Buckeye Institute is an independent research and educational institution - a think tank - whose mission is to advance free-market public policy in the states.*

*The Buckeye Institute is a non-partisan, non-profit, and tax-exempt organization, as defined by section 501(c)(3) of the Internal Revenue code. As such, it relies on support from individuals, corporations, and foundations that share a commitment to individual liberty, free enterprise, personal responsibility, and limited government. The Buckeye Institute does not seek or accept government funding.*





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The Buckeye Institute, 88 East Broad Street,  
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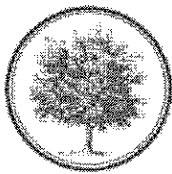
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**Subject:** The Buckeye Institute Reacts to 2018 Capital Budget, Urges Spending to Focus on Physical and Democratic Infrastructure Needs

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**FOR IMMEDIATE RELEASE**  
February 26, 2018

### **The Buckeye Institute Reacts to 2018 Capital Budget, Urges Spending to Focus on Physical and Democratic Infrastructure Needs**

**Columbus, OH -- The Buckeye Institute** issued the following statement on the introduction on the 2018 capital budget, **Senate Bill 266** and **House Bill 529**.

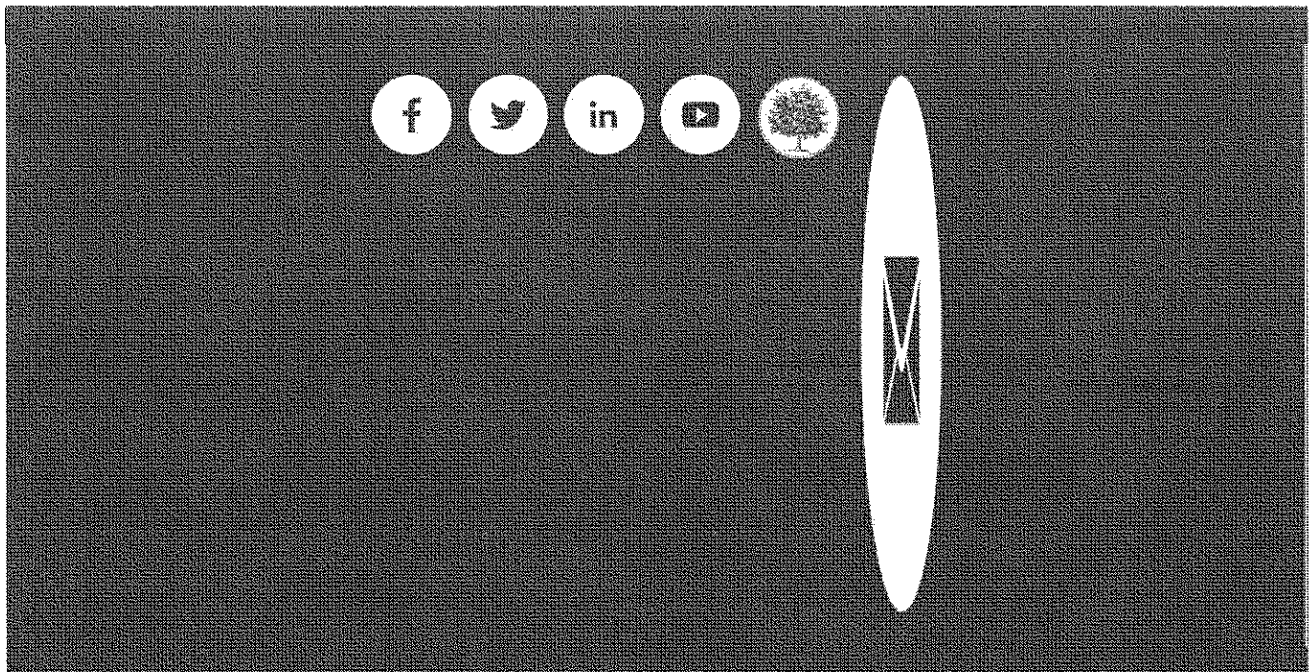
"With the capital budget officially introduced, Ohioans will now be able to see how many millions of dollars are being appropriately spent on critical infrastructure and core government services versus being set aside for pet local projects and pork spending," said Greg R. Lawson, research fellow at The Buckeye Institute. "And rest assured, Buckeye will be reviewing the budget to see how closely it aligns to the principles we laid out in *Principled Spending: Using Ohio's Capital Budget to Benefit Ohioans*."

"Regardless of where the capital budget begins, policymakers still have an opportunity to adhere to these principles - constrain the growth of state government, eliminate corporate and special interest welfare, and focus spending on the core functions of state government," Lawson continued. "Ohioans' taxpayer dollars should be used to strengthen the state's physical and democratic infrastructure, not on special interest pork projects that should be funded through private means."

###

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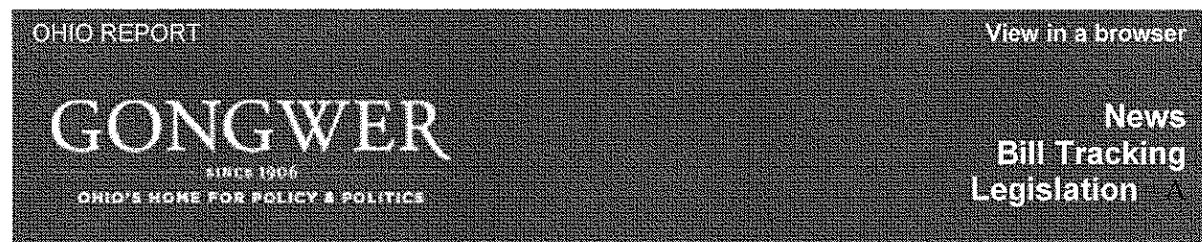
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## OHIO REPORT MONDAY, FEBRUARY 26

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**\$2.62 Billion Capital Budget Prioritizes Projects To Address Opiate Addiction, Related Issues**

**Cardinal Health Among Drug Distributors Targeted In Latest DeWine Opioid Suit**

**Nearly \$29M In State IT Funding Clears Controlling Board**

**Adult Charge Stemming From Juvenile Conviction Challenged At High Court**

**Ohio Groups Debate Trump's Short-Term Health Plan Proposal**

**Travel Trailer Maker Tops List Of Tax Credits Issued By State Panel**

**Kasich Declares Emergency As Flood Risks Continue**

**Cyberattack Temporarily Shuts Down State Websites, Phones**

**Environmental Group Calls For Setback, Chemical Reporting Changes Following Well Fire**

**Schiavoni, Williams Plan Firearm Removal Bill; Yost Unveils School Safety Plan; High Court Hears Janus Case; Kucinich Continues Gun Push...**

**Governor's Appointments**

**Supplemental Event Planner**

## **ACTIVITY REPORTS**

===== A

**House**

**Senate**

## **CALENDARS**

=====

**Day Planner**

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## Daily Activity Planner for Tuesday, February 27

### Legislative Committees

**Senate Transportation, Commerce & Workforce** (Committee Record) (Chr. LaRose, F., 466-4823), Finance Hearing Rm., 9:30 a.m.

- HB 159**      **MONTH DESIGNATION** (Riedel, C.) To designate May as "Drive Ohio Byways Month." (1st Hearing-Sponsor)
- HB 195**      **WHEELCHAIR TRANSPORTS** (Ingram, C., Seitz, B.) To modify the provisions concerning the transport of persons who require the use of a wheelchair or other mobility aid in nonemergency circumstances. (3rd Hearing-All testimony-Possible amendments & vote)
- HCR 19**      **HATE GROUPS** (Leland, D., Greenspan, D.) To denounce and oppose the totalitarian impulses, violent terrorism, xenophobic biases, and bigoted ideologies that are promoted by white nationalists and neo-Nazis, to urge law enforcement to recognize white nationalist and neo-Nazi groups as terrorist organizations, and to pursue the criminal elements of these domestic terrorist organizations in the same manner and with the same fervor used to protect the United States from other manifestations of terrorism. (2nd Hearing-Proponent)
- HB 336**      **LICENSE FEES** (Barnes, J., Greenspan, D.) To prohibit the imposition of driver's license and temporary instruction permit reinstatement fees in specified circumstances and to name this act the Reinstatement Fee Amnesty Initiative. (2nd Hearing-Proponent)
- HB 250**      **ELECTRIC BICYCLES** (Brinkman, T.) To establish requirements for the use of electric bicycles. (1st Hearing-Sponsor)

**Senate Local Government, Public Safety & Veterans Affairs** (Committee Record) (Chr. Uecker, J., 466-8082), South Hearing Rm., 9:45 a.m.

- **Confirmation hearing on governor's appointment of Scott Arthur, State Board of Emergency Medical, Fire and Transportation Services**

- HB 307**      **MONTH DESIGNATION** (Gonzales, A.) To designate September as "We Card Month." (2nd Hearing-Proponent)
- HB 229**      **DAY DESIGNATION** (Romanchuk, M., Wiggam, S.) To designate February 3 as "Charles Follis Day." (2nd Hearing-Proponent)
- HB 202**      **AWARENESS DAY** (Thompson, A.) To designate the first Saturday of May as "Veterans Suicide Awareness Day." (2nd Hearing-Proponent)
- SB 106**      **SMOKING** (Tavares, C.) To prohibit smoking in a motor vehicle in which a child under six years of age is a passenger. (1st Hearing-Sponsor)
- HB 194**      **LICENSE PLATES** (Johnson, T., Craig, H.) To establish a program for the issuance of special license plates related to military service and awards. (4th Hearing-All testimony-Possible amendments & vote)

**House Rules & Reference (Committee Record) (Chr. Rosenberger, C., 466-3506), Rm. 119, 10 a.m.**

**House Ways & Means (Committee Record) (Chr. Schaffer, T., 466-8100), Rm. 121, 10 a.m.**

**SB 226 TAX HOLIDAY (Bacon, K.)** To provide for a permanent three-day sales tax "holiday" each August during which sales of clothing and school supplies are exempt from sales and use tax. (1st Hearing-Sponsor)

**SB 22 TAX LAWS (Peterson, B.)** To expressly incorporate changes in the Internal Revenue Code since February 14, 2016, into Ohio law. (3rd Hearing-All testimony-Possible amendments, substitute & vote)

**HB 507 TAX CREDIT (Gonzales, A.)** To allow a refundable income tax credit for parents of stillborn children. (1st Hearing-Sponsor)

**HB 488 TAX LEVIES (Hood, R., Becker, J.)** To modify the information conveyed in election notices and ballot language for property tax levies. (1st Hearing-Sponsor & proponent)

**Senate Judiciary (Committee Record) (Chr. Bacon, K., 466-8064), North Hearing Rm., 10:15 a.m.**

- **Confirmation hearing on governor's appointments of Mark Wasylshyn, Michael Staley, Brian Simms and Jay Beighley, Ohio Private Investigation and Security Services Commission**

**SB 66 CRIMINAL LAWS (Eklund, J., Tavares, C.)** To modify criminal sentencing and corrections law by including rehabilitation as a purpose of felony sentencing, removing the one-year minimum for presumptive fourth or fifth degree felony community control sanctions, modifying sanctions for a violation of a community control condition, modifying the manner of calculating confinement credits, modifying eligibility criteria and procedures for granting intervention in lieu of conviction, making offenders convicted of certain multiple fourth or fifth degree felonies eligible for conviction record sealing, revising procedures for the Adult Parole Authority to grant a final release or terminate post-release control, and modifying the criteria for considering a prison term sanction for a post-release control violation. (5th Hearing-All testimony-Possible vote)

**SB 231 OFFENDER DATABASE (Gardner, R.)** To provide for a violent offender database, require violent offenders to enroll in the database, and name those provisions of the act "Sierah's Law;" to modify the membership and duties of the Ex-Offender Reentry Coalition and eliminate its repeal; to require halfway houses to use the single validated risk assessment tool for adult offenders that the Department of Rehabilitation and Correction has developed; and to provide that the notice of release from prison of specified serious offense offenders that is given to sheriffs is to be the same as that provided to prosecuting attorneys and eliminate the notice to sheriffs regarding pardons, commutations, paroles, and transitional control transfers of offenders. (2nd Hearing-Possible amendments)

- SB 171**      **PROTECTION ORDERS** (Hottinger, J.) To increase the penalty that applies to the offense of violating a protection order under certain circumstances and to require electronic monitoring of those convicted of violating certain protection orders to be carried out by probation agencies. (3rd Hearing-All testimony-Possible amendments)
- SB 195**      **DOGS LAW** (Beagle, B.) To revise provisions of the Dogs Law governing nuisance, dangerous, and vicious dogs, to revise enforcement of that Law, and to establish a notification process regarding complaints of certain violations of that Law. (3rd Hearing-All testimony-Possible amendments)
- SB 244**      **PROSTITUTION** (Dolan, M., Manning, G.) To amend the penalties for promoting prostitution. (2nd Hearing-Proponent)
- House Finance** (Committee Record) (**Chr. Smith, R., 466-1366**), **Rm. 313, 11 a.m.**
- HB 529**      **CAPITAL APPROPRIATIONS** (Ryan, S.) To make capital appropriations and changes to the law governing capital projects and to make reappropriations for the biennium ending June 30, 2020. (1st Hearing-Sponsor-Pending referral)
- HB 508**      **OHIO CORPS** (Ryan, S., Reineke, B.) To establish the OhioCorps Pilot Project and to make an appropriation. (2nd Hearing-Proponent)
- HB 378**      **BROADBAND GRANTS** (Smith, R., Cera, J.) To create the Ohio Broadband Development Grant Program and to make an appropriation. (5th Hearing-All testimony-Possible substitute)
- House Economic Development, Commerce & Labor** (Committee Record) (**Chr. Young, R., 644-6074**), **Rm. 113, 1:30 p.m.**
- HB 504**      **INTERIOR DESIGNERS** (Pelanda, D.) Regarding interior designers. (1st Hearing-Sponsor)
- HB 263**      **OUTDOOR DINING AREAS** (Lanese, L.) To generally allow an owner, keeper, or harbinger of a dog to take the dog in an outdoor dining area of a retail food establishment or food service operation. (6th Hearing-All testimony-Possible vote)
- HB 211**      **HOME INSPECTORS** (Hughes, J.) To require the licensure of home inspectors and to create the Ohio Home Inspector Board to regulate the licensure and performance of home inspectors. (5th Hearing-All testimony-Possible vote)
- HB 433**      **VETERINARY EDUCATION** (Kelly, B., Brinkman, T.) To allow a licensed veterinarian to receive up to two continuing education credits per biennium for performing free spaying and neutering services. (2nd Hearing-Proponent)
- House Criminal Justice** (Committee Record) (**Chr. Manning, N., 644-5076**), **Rm. 114, 1:30 p.m.**
- HB 457**      **DRUG TREATMENT** (Antani, N.) To require that an offender serving a community control sanction or a parolee who fails a drug test for heroin,

fentanyl, or carfentanil be held in jail or admitted to a residential treatment program for up to 30 days. (2nd Hearing-Proponent)

**HB 391** **ECONOMIC LOSSES** (**Merrin, D.**) To include the cost of accounting done to determine the extent of economic loss as a type of economic loss for which restitution may be granted. (4th Hearing-All testimony-Possible amendments & substitute)

**House State & Local Government** (Committee Record) (**Chr. Anielski, M., 644-6041**), Rm. 017, 2 p.m.

**HB 454** **CEMETERY LOTS** (**Patterson, J., Arndt, S.**) To require a township to compensate the owner of certain unused cemetery lots and rights which the township reenters after lack of response from the owner. (5th Hearing-All testimony-Possible vote)

**HR 299** **DRUG USE** (**Young, R., Ginter, T.**) To recognize the efforts and successes of the faith-based community in supporting and assisting individuals who are suffering from opioid and other drug abuse and addiction. (3rd Hearing-All testimony-Possible vote)

**HB 483** **WEEK DESIGNATION** (**Patterson, J.**) To designate the second week of October as "Ohio Covered Bridge Week." (2nd Hearing-All testimony)

**HB 484** **HEALTH DISTRICTS** (**Brenner, A.**) To authorize city and general health districts to use credit cards in accordance with prescribed requirements. (1st Hearing-Sponsor)

**HB 492** **STATE PROCUREMENT** (**Gonzales, A.**) To establish the women-owned business enterprise program requiring state agencies to establish women-owned business procurement goals. (1st Hearing-Sponsor)

**HB 493** **MINORITY ENTERPRISES** (**Gonzales, A.**) To authorize the Director of Administrative Services to enter into reciprocal agreements with other states with respect to the certification of minority business enterprises and EDGE business enterprises. (1st Hearing-Sponsor)

**HB 500** **TOWNSHIP LAWS** (**Carfagna, R.**) To make various changes to township law. (1st Hearing-Sponsor)

**House Government Accountability & Oversight** (Committee Record) (**Chr. Blessing, L., 466-9091**), Rm. 313, 2 p.m.

- Note time & room change.

**HB 382** **UNEMPLOYMENT COMPENSATION** (**Schuring, K.**) To modify terms describing payments made under the Unemployment Compensation Law, to increase the amount of wages subject to unemployment compensation premiums, to require qualifying employees to make payments to the Unemployment Compensation Insurance Fund, to allow the Director of Job and Family Services to adjust maximum weekly benefit amounts, to reduce the maximum number of benefit weeks, and to make other changes to the Unemployment Compensation Law. (15th Hearing-All testimony)

- HJR 4**      **UNEMPLOYMENT COMPENSATION** (Schuring, K.) Proposing to enact Section 2t of Article VIII of the Constitution of the State of Ohio to allow the General Assembly to provide by law for the issuance of bonds to pay unemployment compensation benefits when the fund created for that purpose is or will be depleted or to repay outstanding advances made by the federal government to the unemployment compensation program. (15th Hearing-All testimony)
- HB 512**      **EDUCATION DEPARTMENT** (Reineke, B.) To establish the Department of Learning and Achievement; to abolish the Department of Higher Education, the position of the Chancellor of Higher Education, and the Ohio Board of Regents; to transfer, with exceptions, the duties regarding the administration of primary and secondary education programs and all duties regarding the administration of higher education programs to the Department of Learning and Achievement; and to prescribe certain duties regarding educator licensure, community school sponsorship, and other education programs for the State Board of Education, Superintendent of Public Instruction, and Department of Education. (2nd Hearing-Proponent)
- HB 451**      **PUBLIC RECORDS** (Retherford, W.) To exclude from the definition of public record under the Public Records Law any depiction by photograph, film, videotape, or digital, visual, or printed material of victims of crime under specified circumstances dealing with the victims' bodily privacy. (4th Hearing-All testimony-Possible vote)
- SB 223**      **USED TIRES** (LaRose, F.) To prohibit the installation of unsafe used tires on certain motor vehicles. (4th Hearing-All testimony-Possible amendments & vote)
- SB 10**      **PRIMARY ELECTIONS** (LaRose, F.) To expand the circumstances under which a board of elections or the secretary of state is not required to hold a primary election. (3rd Hearing-All testimony-Possible substitute)
- HB 506**      **DOG BREEDERS** (Hill, B.) To revise the law governing high volume dog breeders. (2nd Hearing-Proponent-Possible amendments)
- HB 469**      **TAX CREDIT** (Schuring, K., Patton, T.) To authorize a nonrefundable insurance company tax credit for contributions of capital to transformational mixed use development projects. (2nd Hearing-Proponent)
- HB 489**      **FINANCIAL INSTITUTIONS** (Dever, J.) To provide some regulatory and tax relief to state banks and credit unions, to provide for data analytics to be conducted on publicly available information regarding banks, credit unions, and consumer finance companies, to modify when a creditor can file a claim against an estate, to require registration of mortgage loan servicers, and to require a specified notice be given to a debtor for certain debt collection. (1st Hearing-Sponsor-Possible amendments)
- SB 139**      **LEGAL MATERIALS** (Skindell, M., Eklund, J.) To adopt the Uniform Electronic Legal Material Act. (1st Hearing-Sponsor)

**HB 450**      **HEALTH BENEFITS** (Antani, N.) To impose review and other requirements on existing health insurance mandated benefits and to establish requirements for the creation of new mandated benefits. (2nd Hearing-Proponent)

**HB 342**      **TAX LEVIES** (Merrin, D.) To permit local tax-related proposals to appear only on general and primary election ballots and not on an August special election ballot and to modify the information conveyed in election notices and ballot language for property tax levies. (4th Hearing-All testimony)

**Senate Finance** (Committee Record) (**Chr. Oelslager, S., 466-0626**), **Finance Hearing Rm., 2:30 p.m.**

- **Confirmation hearing on governor's appointments of Pamela Mowry, North Central State College Board of Trustees and Jo Ann Davidson and Ranjan Manoranjan, Ohio Casino Control Commission**

**SB 266**      **CAPITAL APPROPRIATIONS** (Oelslager, S.) To make capital appropriations and changes to the law governing capital projects and to make reappropriations for the biennium ending June 30, 2020. (Presentation from OBM Director Tim Keen)

**HB 168**      **CEMETERY REGISTRATION** (Stein, D.) To modify duties of the Division of Real Estate in the Department of Commerce regarding cemetery registration, to specify cemetery owners must reasonably maintain cemeteries, to establish the Cemetery Grant Program, and to make an appropriation. (4th Hearing-All testimony-Possible vote)

**HB 251**      **SUBDIVISION INVESTMENTS** (Greenspan, D.) To increase from five to ten years the maturity period of other political subdivision's bonds and obligations eligible for investment of a subdivision's interim moneys, a county's inactive moneys, and money in the county public library fund. (4th Hearing-All testimony-Possible vote)

**Senate Health, Human Services & Medicaid** (Committee Record) (**Chr. Burke, D., 466-8049**), **South Hearing Rm., 3:15 p.m.**

**SB 218**      **MEDICAID PROVIDERS** (Lehner, P.) Regarding surety bonds and minimum training for certain Medicaid providers. (1st Hearing-Sponsor-Possible amendments)

**HB 332**      **ANATOMICAL GIFTS** (Antani, N.) Regarding anatomical gifts, transplantation, and discrimination on the basis of disability. (1st Hearing-Sponsor)

**HB 340**      **PUBLIC ASSISTANCE** (Young, R.) Regarding the release of information concerning public and medical assistance recipients. (1st Hearing-Sponsor)

**SB 233**      **COTTAGE FOOD PRODUCTION** (Thomas, C.) To allow a cottage food production operator to use a firebrick oven located on a patio at the operator's residence for purposes of the cottage food production operation (2nd Hearing-Proponent)

**HB 111**      **MENTAL HEALTH COMMITMENTS** (Carfagna, R., Ryan, S.) To authorize certain advanced practice registered nurses to have a person involuntarily

transported to a hospital for a mental health examination. (4th Hearing-All testimony-Possible amendments)

**House Education & Career Readiness (Committee Record) (Chr. Brenner, A., 644-6711), Rm. 121, 4 p.m.**

- HB 502**     **YOUTH SUICIDE (Anielski, M.)** With regard to educator inservice training on youth suicide awareness and prevention in public schools. (1st Hearing-Sponsor)
- HB 503**     **YOUTH SUICIDE (Anielski, M.)** With regard to educator inservice training on youth suicide awareness and prevention in private schools. (1st Hearing-Sponsor)
- HB 318**     **SCHOOL RESOURCE OFFICERS (Patterson, J., LaTourette, S.)** To define the necessary qualifications and responsibilities of school resource officers. (3rd Hearing-All testimony-Possible substitute & vote)
- HB 428**     **STUDENT EXPRESSION (Ginter, T., LaTourette, S.)** Regarding student religious expression and to entitle the act the "Ohio Student Religious Liberties Act of 2018." (3rd Hearing-Opponent)
- HB 491**     **EDUCATION LICENSE (Edwards, J.)** To require the State Board of Education to issue a substitute license to specified pupil services personnel. (2nd Hearing-All testimony)
- HB 360**     **BULLYING (Greenspan, D.)** To enact the "Ohio Anti-Bullying and Hazing Act" with regard to school discipline and bullying and hazing policies at public schools and public colleges. (4th Hearing-Possible substitute)

**Senate Government Oversight & Reform (Committee Record) (Chr. Coley, B., 466-8072), Finance Hearing Rm., 4 p.m.**

- SR 342**     **COLUMBUS CREW (Kunze, S.)** To urge the investor-operator and chairperson of Columbus Crew Soccer Club to keep the franchise in Columbus. (2nd Hearing-All testimony-Possible vote)
- SB 221**     **AGENCY RULEMAKING (Uecker, J.)** To reform agency rule-making and legislative review thereof. (3rd Hearing-Opponent-Possible amendments)
- HB 226**     **FIREWORKS (Seitz, B., Sweeney, M.)** To establish a fireworks study group to review and make recommendations regarding the Fireworks Law, to extend to July 1, 2020, the moratorium on issuing fireworks manufacturer and wholesaler licenses, to eliminate, beginning January 1, 2021, the moratorium on geographic transfer of fireworks manufacturer and wholesaler licenses, and, beginning July 1, 2020, to impose a fee on the retail sale of consumer grade fireworks in this state and to expand the ability of individuals to obtain 1.3G display fireworks and obtain and use 1.4G consumer fireworks. (2nd Hearing-Proponent)
- SB 239**     **REGIONAL GOVERNMENT COUNCILS (Dolan, M.)** To modify the law concerning regional councils of governments. (3rd Hearing-Opponent)

**Agency Calendar**

**HB 450**      **HEALTH BENEFITS** (Antani, N.) To impose review and other requirements on existing health insurance mandated benefits and to establish requirements for the creation of new mandated benefits. (2nd Hearing-Proponent)

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Board of Building Appeals, Division of Industrial Compliance, 6606 Tussing Road,  
Training Room 1, Reynoldsburg, 8:30 a.m.

### **Event Planner**

State Auditor Dave Yost and GOP lawmakers news conference on Medicaid compliance, Press Briefing Rm., Statehouse, Columbus, 10 a.m.

Ohio Lobbying Association Annual Meeting & Legislative Reception, Sheraton Columbus at Capital Square, 75 E. State St., Columbus, 4 p.m., (4:00 pm - Annual Meeting for OLA Members; 5:00 pm - Legislative Reception. More info and to register: [http://bit.ly/2018\\_OLA\\_AM](http://bit.ly/2018_OLA_AM))

Rep. Glenn Holmes (D-McDonald) fundraiser, Westies Gastropub, 940 S. Front Street, Columbus, 5:30 p.m., (Sponsor \$1,000, Host \$500, Friend \$250 to Committee to Elect Glenn Holmes. RSVP with Jenna Gravalis at 551-427-9895 or [jgravalis@ohiodems.org](mailto:jgravalis@ohiodems.org))

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## Senate Activity for Monday, February 26, 2018

### INTRODUCED

**SB 266** ■ **CAPITAL APPROPRIATIONS (Oelslager, S.)** To make capital appropriations and changes to the law governing capital projects and to make reappropriations for the biennium ending June 30, 2020.

Gongwer Coverage

**SB 267** ■ **SOLICITING (Brown, E., Kunze, S.)** To increase the penalty for soliciting when the person solicited is eighteen years of age or older, to specify that the fine for soliciting in this circumstance is not more than two thousand five hundred dollars, and to specify that up to one thousand dollars of that fine may be deposited into the Victims of Human Trafficking Fund. Am. 2907.24 and 5101.87

### SENATE PRESIDENT'S APPOINTMENTS

Joint Education Oversight Committee: Senator Gayle Manning as chair .

### DELIVERED TO THE GOVERNOR

**SB 144** ■ **DISABILITIES COUNCIL (Burke, D.)** To abolish the Opportunities for Ohioans with Disabilities Commission, Consumer Advisory Committee, and Governor's Council on People with Disabilities; to establish a state rehabilitation services council known as the Opportunities for Ohioans with Disabilities Council; and to restore staggered terms of office for the employee members representing firefighters on the board of trustees of the Ohio Police and Fire Pension Fund.

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## House Activity for Monday, February 26, 2018

### INTRODUCED

**HB 526** ■ **SCHOOL SAFETY** (DeVitis, T., Sweeney, M.) To authorize a public or chartered nonpublic school to enter into an agreement with a volunteer law enforcement officer to patrol school premises to prevent or respond to a mass casualty event, to provide the parties with a qualified immunity from civil liability, and to provide a tax credit for volunteer service. Am. 5747.08 and 5747.98 and to enact sections 3313.94 and 5747.64

**HB 527** ■ **VISITATION RIGHTS** (LaTourette, S.) To allow certain specified persons to petition the probate court for reasonable visitation with an incompetent or ward if visitation between the person and the incompetent or ward has been interfered with or denied. Am. 2111.132

**HB 528** ■ **CORPSE ABUSE** (Smith, R., Rezabek, J.) To expand the penalties for abuse of corpse offenses. Am. 2927.01 and 2929.13

**HB 529** ■ **CAPITAL APPROPRIATIONS** (Ryan, S.) To make capital appropriations and changes to the law governing capital projects and to make reappropriations for the biennium ending June 30, 2020. Am. 164.05  
Gongwer Coverage

### HOUSE SPEAKER'S APPOINTMENTS

Insurance Committee: Remove Representative LaTourette; appoint Representative Lang.

### DELIVERED TO THE GOVERNOR

**HB 45** ■ **MONTH DESIGNATION** (Sprague, R.) To designate May as "Neurofibromatosis Awareness Month."

**HB 79** ■ **FIREARMS TRAINING** (Retherford, W., Hagan, C.) To provide for firearms training for tactical medical professionals; to permit such a professional who has received that training and has been authorized by the law enforcement

agency to carry firearms while on duty; and to grant such a professional the same right to carry a concealed handgun in this state as a concealed handgun licensee.

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**Volume #87, Report #38 -- Monday, February 26, 2018**

**\$2.62 Billion Capital Budget Prioritizes Projects To Address Opiate Addiction, Related Issues**

The General Assembly is doubling its prior financial commitments for behavioral and mental health infrastructure in the capital appropriations budget that was introduced Monday.

The bill includes \$2.62 billion in new spending on bricks-and-mortar projects as well as a yet-to-be-disclosed amount of reappropriations for ongoing capital projects approved in prior biennia. The bill covers spending in Fiscal Years 2019-2020.

Companion House and Senate measures (HB 529 & SB 266) allocate \$222 million for health and human services, developmental disabilities, mental health, addiction treatment and women's health initiative facilities over the next two fiscal years.

The fast-tracked budget, which will receive first hearings in both chambers on Tuesday, also includes \$150 million in community projects - \$20 million more than the original funding target - \$600 million for school facilities, \$514 million for local infrastructure projects and \$483 million for public colleges and universities.

The state will issue bonds to fund the spending.

The expanded health and human services support funding was added in response to the growing impact of the opiate epidemic, Senate President Larry Obhof (R-Medina) said.

"So where in the prior budgets you may have seen a few of these pop up, I think it's on the minds of a lot of people and we all recognize that these are some of the more important issues facing the state of Ohio and these are some of the things we chose to prioritize."

Some of the projects set to receive a chunk of the \$222 million are Alvis House and Maryhaven in Columbus, President Obhof said. The respective \$300,000 and \$125,000 projects would add about 260 additional treatment beds for addicts in Franklin County.

"We see these things throughout the state and not just in Franklin County, in Cuyahoga and Hamilton counties but in some of rural areas as well," Sen. Obhof said. "There are number of requests that are being funded from members throughout the state of Ohio for things like that."

Of the total allocation for such infrastructure plans, \$20 million will be provided through competitive grants, which were proposed by Gov. John Kasich. (See Gongwer Ohio Report, February 12, 2018)

So-called community resiliency projects that focus on expanding spaces for youth programming would receive the funding, said Senate Finance Committee Chairman Scott Oelslager (R-N. Canton). The Department of Mental Health and Addiction Services and local groups will likely select the recipients.

"We recognize the need there and listened very carefully to the community," he said of the funding dedicated to combatting the opiate epidemic and related issues.

While that area of the budget saw a boost, overall capital appropriations shrunk by about \$10 million from the last budget, Sen. Obhof said. He's hopeful, however, that it will have a similar reach.

"We think that due to sound fiscal management and the hard work we put in in the main operating budget last year, we do have the capacity for the bonding and the funding of various projects throughout the state that you see in the bill," he told reporters after the legislation was introduced.

Leaders of both parties in each chamber worked together to iron out the details prior to the measure's introduction Monday, making it ripe for quick passage.

President Obhof said he expects a Senate vote on the House version - which will serve as the vehicle for the budget - in the week before spring break, which is set to begin in late March.

Local projects were brought forward by individual members for consideration while community colleges and universities created their own priority funding packages. (See Gongwer Ohio Report, November 22, 2017)

"This capital budget will give the legislature a tremendous opportunity to address several infrastructure and construction projects that will generate a positive return on investment for communities all across the state," Speaker Cliff Rosenberger (R-Clarksville) said in a statement. "I want to commend the members of the legislature and local leaders for their collaboration and commitment to helping improve the lives of so many Ohioans through this legislation."

The capital budget has historically drawn bipartisan support as lawmakers look to support money funneled to projects in their communities. That trend is expected to continue this year.

"As legislators, we review capital budget applications, meet with individuals and organizations and visit project sites. You can't help but become passionate about what we can do to invest in Ohio's infrastructure and improve the community," Senate Minority Leader Kenny Yuko (D-Richmond Heights) said. "Although it's unfortunate that we can't fund every much-needed community project that comes to our attention, I am happy with the progress that will be made through the capital budget."

If the capital bill process follows those of prior years, no major changes will occur during deliberations unless there are problems with the bill. The last several capital budgets passed with few if any amendments once they were introduced.

### **Cardinal Health Among Drug Distributors Targeted In Latest DeWine Opioid Suit**

Attorney General Mike DeWine on Monday announced that he has filed a lawsuit against four drug distributors for their role in the opioid epidemic.

The lawsuit, filed in Madison County Common Pleas Court, alleges that the drug distributors were negligent in over-supplying addictive opioid prescription drugs.

"We believe the evidence will show that these companies ignored their duties as drug distributors to ensure that opioids were not being diverted for improper use. They knew the amount of opioids allowed to flow into Ohio far exceeded what could be consumed for medically-necessary purposes, but they did nothing to stop it," AG Mike DeWine said in a statement.

"And much like the drug manufacturers who continue to fail to do the right thing, these distributors are doing precious little to take responsibility for their actions and help pay for the damage they have caused."

Named in the lawsuit are McKesson Corporation, Cardinal Health and its subsidiaries, AmerisourceBergen Drug Corporation and Miami-Luken, Inc.

Cardinal Health in a statement said it has been cooperating to "alleviate the public health crisis and save lives" through a multi-state effort led by 40 attorneys general and a multi-jurisdictional effort in Cleveland.

"We are extremely disappointed that Attorney General DeWine chose to go outside of these established processes at this critical moment in time to file this unfounded lawsuit," the company said in a statement.

The company went on to say that it cares deeply about the opioid epidemic and that there must be work toward meaningful solutions.

"This is why we launched our Opioid Action Program which augments our substantial efforts to combat opioid abuse and is providing funds and support for take back efforts, Narcan giveaways for first responders, and grants for communities looking to find holistic solutions to this public health issue throughout Ohio," it said.

"Cardinal Health has made a significant investment in state-of-the-art controls to effectively combat the diversion of pain medications from legitimate uses. We believe this kind of effort and investment, and not baseless litigation, is the way to alleviate this problem."

The lawsuit alleges that the companies fueled the opioid epidemic by distributing enough of the drugs to fill more than 11.8 million prescriptions from 2011 to 2016, amounting to dosages that averaged more than 739 million each year.

The drug epidemic has resulted in annual damages in excess of \$1 billion, the lawsuit alleges. Those costs include medical care; treatment for infants born with opioid-related medical conditions; public safety measures; substance abuse prevention; and welfare and social services for the children of addicted parents.

The lawsuit also alleges that more than 7,000 Ohioans have died due to the opioid crisis.

The companies "have supplied and continue to supply quantities of prescription opioids in and around Ohio without taking proper measures based on their actual or constructive knowledge that individuals were consuming opioids for non-medical purposes," the lawsuit reads.

Among the remedies Mr. DeWine is seeking are punitive and compensatory damages.

This marks the second lawsuit the AG has filed against drug companies over the opioid crisis. (See Gongwer Ohio Report, May 31, 2017)

### **Nearly \$29M In State IT Funding Clears Controlling Board**

Controlling Board members Monday approved more funding for state information technology projects after raising questions about performance-based contracts and the state's savings from consolidating services.

The requests from the Department of Administrative Services included one worth nearly \$24.8 million for the state's main IT services delivery line item, which has increased over the years due to the consolidation, DAS Chief Financial Officer Jennifer Leymaster told the board.

The other request, for \$4.4 million, dealt specifically with a pair of projects involving nine agencies, she said.

Rep. Scott Ryan (R-Newark) asked if the state's IT contracts have performance clauses for the timing of delivery or for the accountability of functions.

The request Monday didn't deal with specific contracts, just the appropriation changes needed to cover contract costs, Ms. Leymaster said.

"We'd be happy to see if individual contracts have the type of controls that you're asking about," she said.

Ms. Leymaster told Sen. Charleta B. Tavares (D-Columbus) that the projects are part of a broader optimization project that has saved the state more than \$160 million since its inception.

The board also approved two significant funding requests from the Development Services Agency to support affordable housing after Sen. Bill Coley (R-Liberty Twp.) asked about cost containment measures and access for people with disabilities.

The requests included \$13.6 million for the Ohio Housing Finance Agency to administer the Housing Development Assistance Program, and \$5.5 million for housing assistance programs across the state.

Kelan Craig, director of planning, preservation and development at the Ohio Housing Finance Agency, said the administration has worked to ensure projects are done effectively at low cost.

As for accessibility for people with disabilities, there are specific requirements for projects targeted at seniors and for permanent supportive housing developments, but not for standard affordable housing, he said.

"Let's just watch that and make sure we don't have a problem with that," Sen. Coley said.

A request by the Department of Mental Health and Addiction Services for \$1.1 million to replace the emergency generator at Appalachian Behavioral Healthcare in Athens was approved after Sen. Coley asked about the hospital's involvement in plans to participate in peak demand emergency programs.

Stephen Wilson, legislative liaison for ODMHAS, said the state found it would only save a couple thousand dollars to participate in the utility's peak demand program, while placing strict requirements on hospital staff.

Sen. Coley said the programs can help other facilities, such as industries and schools, when the power goes down.

"Hospitals around the state are finding great benefits to these programs," he said.

In total, the board approved 82 requests for funding.

Other items approved included: (Agenda)

- \$2.9 million - Central State University - for repair and modernization of the Hallie Q. Brown Memorial Library.
- \$11.7 million - Cleveland State University - to contract for an addition project at Fenn Hall.

- \$1.9 million - Cuyahoga Community College - to buy 12.82 acres of real estate in Euclid for the expansion of the Transportation, Distribution and Logistics Academy.
- \$1 million - Adjutant General's Department - for masonry renovation and HVAC work at the Hamilton Readiness Center in Butler County.
- \$4.6 million - DAS - for administration of the Multi-Agency Radio Communication System.
- \$2.3 million - Department of Agriculture - for lab supplies and equipment.
- \$1.1 million - Department of Mental Health & Addiction Services - for emergency generator replacement at Appalachian Behavioral Healthcare in Athens.
- \$1.6 million - Bureau of Motor Vehicles - for federal grants to purchase and install document scanners and update existing computer systems to confirm commercial driver's license applicants provided proof of citizenship or permanent residency.
- \$10.5 million - Facilities Construction Commission - for master facilities plan amendments from Elida Local School District and Bloom-Carroll Local School District.

### **Adult Charge Stemming From Juvenile Conviction Challenged At High Court**

Can a juvenile adjudication be used to satisfy an element of a crime committed as an adult?

Anthony Carnes will argue that it can't in a case the Ohio Supreme Court is set to hear Tuesday.

Mr. Carnes was charged with a third-degree felony offense of weapon-under-disability based on a 1994 juvenile adjudication. He moved to have the charge dismissed, but the trial court denied his motion.

The First District Court of Appeals upheld the trial court's decision. But Mr. Carnes argued that both court erred in their decisions.

"Simply put, juvenile adjudications are not criminal convictions and should not be viewed as such. This conclusion is reinforced by the fact that Ohio's juvenile system uses two different approaches, one mandatory and one discretionary, to transfer its most severe offenders into the adult system, and has a process to include an adult sentence with a juvenile rehabilitation for the next most serious level of offenders," his merit brief reads.

"In line with that approach, this court has prohibited juvenile adjudications from increasing punishment for subsequent adult conduct. Given that framework, it is incongruous for such adjudications to be permitted to turn what would otherwise be lawful conduct into a crime. Thus, a juvenile adjudication should not be deemed to meet an element of an offense charged against an adult."

The Juvenile Law Center and the Buckeye Firearms Association both weighed in on the case on behalf of Mr. Carnes.

"Individuals with Ohio juvenile adjudications do not fit into the long standing prohibition on the possession of firearms by felons because they simply are not felons by definition," the BFA wrote in its amicus brief.

The state, however, argues that a juvenile adjudication cannot be used to enhance a penalty, but it can be used as an element of a crime. The state also contends that if the court were to side with Mr. Carnes it would gut the state's law prohibiting the possession of a weapon under disability.

Under the law, "there are multiple means of being placed under a disability that do not include the right to a jury trial: being a fugitive from justice, being under indictment for a felony offense of violence, being under indictment for a felony drug offense, being drug dependent or in danger of drug dependence, being a chronic alcoholic, and being adjudicated mentally incompetent. Just as is the case with a juvenile adjudication, none of those situations carries a right to a jury trial - state," the state writes.

The Cuyahoga County Prosecutor's Office has also asked the court to affirm the First District ruling.

"Persons who commit violent felony offenses are considered bad risks who should not be allowed to legally possess a firearm. The fact that a person who commits the violent felony offense as a juvenile does not make that person any less of a bad risk," it wrote in an amicus brief.

"But Ohio's weapons disability law recognizes that people can turn their lives around and become law-abiding citizens after committing a single indiscretion or even after committing a series of crimes decades ago. That person can legally possess a firearm after following the appropriate statutory remedy; but until that time, the person should not be able to possess a firearm under Ohio law."

Three district court judges will be involved in the case because Justice Sharron Kennedy, Justice Patrick Fischer and Justice Patrick DeWine have recused themselves.

Justice DeWine concurred in judgement only with the First District's opinion upholding the trial court's decision to deny the motion to dismiss the charge.

The high court is set to hear two other cases Tuesday, it reported:

- In *Ohio Bureau of Workers' Compensation v. Cirino*, it will hear a case involving a Bureau of Workers' compensation beneficiary challenging the electronic payment program because he is charged fees by his bank. The state argues the case must be filed in the Court of Claims.
- A Columbus attorney is facing a six-month stayed suspension for failure to keep and maintain required financial records in the case of *Columbus Bar Association v. Keating*.

### **Ohio Groups Debate Trump's Short-Term Health Plan Proposal**

A Trump administration proposal to expand options for short-term health insurance is designed to give consumers more options in the marketplace without the regulatory burden of current plans.

Opponents say it could lead to more limited coverage and raise premiums for people on standard exchange plans.

The proposal by the federal Centers for Medicare and Medicaid Services, announced last week, would allow short-term, limited-duration health insurance plans to provide coverage for up to 12 months, up from the current maximum of three months.

These plans are not required to meet the federal requirements for individual health insurance, such as providing essential health benefits or coverage for people with pre-existing conditions.

"In a market that is experiencing double-digit rate increases, allowing short-term, limited-duration insurance to cover longer periods gives Americans options and could be the difference between someone getting coverage or going without coverage at all," CMS Administrator Seema Verma said in a statement.

In Ohio, the move will provide more competition in the marketplace for health insurance, said Greg Lawson, research fellow at the Buckeye Institute.

"It's not going to be a perfect fit for everybody, but for those individuals that it works for, this could be something that could work for you, and it would be a cheaper alternative than being forced into the exchange," he said in an interview.

Critics say the change will erode coverage for people who sign up for the short-term plans and drive up premiums for those who need the more comprehensive coverage of Affordable Care Act-compliant plans.

"These short-term plans are likely to be harmful in the long run," said Steven Wagner, executive director of UHCAN Ohio. "Since they may lack meaningful coverage, people may find that their health care costs are not covered or face substantial out of pocket costs. These plans are a step in the wrong direction."

A report by the Urban Institute estimated the change would lead to an increase of 2.5 million people without minimum essential health care coverage by 2019, and an increase of 18.2% in 2019 premiums for ACA-compliant nongroup insurance plans.

The changes would allow people to shop around for the coverage they want, Mr. Lawson said. The Buckeye Institute and others have criticized the ACA exchanges for placing burdensome regulations on insurers and raising premiums.

"In general, what this will allow is you can have more barebones type policies that are more affordable," he said. "I don't think this is necessarily the pathway that we would prefer to see on a permanent basis but given the fact that the affordable care act is still the law of the land, this does give some breathing space."

Mr. Wagner said those requirements ensure people have comprehensive insurance coverage. He called the latest change part of an effort to eliminate coverage requirements created under the ACA.

"The Trump Administration is eating away at the foundations of health care coverage like termites in the foundation," he said. "This change along w the ability to alter the essential health benefits weakens people's access to quality affordable health care."

#### **Travel Trailer Maker Tops List Of Tax Credits Issued By State Panel**

The Tax Credit Authority on Monday approved incentives for four projects that promise to create a total of 475 jobs and retain another 1,405 positions, the Development Services Agency reported.

The \$2.81 million in tax credits, an estimate that depends on the companies meeting their hiring goals and other criteria, are projected to help trigger \$41 million in investments and result in more than \$24 million in new payroll, according to the state.

Topping the list in terms of impacted jobs and tax credit value is the \$2.325 million incentive for **Airstream, Inc.** in the Village of Jackson Center in Shelby County.

The designer and manufacturer of travel trailers and touring coaches expects to create 280 full-time positions generating \$14.8 million in new payroll while retaining \$57.2 million in payroll with its expansion project. The TCA approved a 1.874%, nine-year Job Creation Tax Credit for the plans.

The other approved projects (estimated tax credit values) are:

**Sedgwick Claims Management Services, Inc.** of Hilliard (Franklin Co.). The provider of claims, productivity, managed care, risk consulting and other services expects to create 109 full-time positions generating \$4.3 million in new payroll while retaining \$13.4 million in payroll. The expansion plans attracted a tax credit of 1.31% over seven years (\$400,000).

**Veeva Systems Inc.** of Dublin (Franklin Co.) plans 46 new jobs, \$3.5 million in new payroll and the retention of \$2.1 million in payroll with its expansion. TCA awarded a 1.62%, seven-year tax credit for the project (\$355,000).

**Modular Assembly Innovations LLC** of Allen Township (Union Co.), which plans 40 new jobs, \$1.4 million in new payroll and the retention of \$7.6 million in payroll. The provider of manufacturing and modular assembly services to the automotive industry was awarded a 1.055%, six-year JCTC (\$90,000).

### **Kasich Declares Emergency As Flood Risks Continue**

Two days after Gov. John Kasich declared a state of emergency in 17 counties, areas of Ohio are continuing to grapple with flooding.

On Saturday, the governor issued his emergency declaration in the face of flooding - particularly along the Ohio River, which was expected to crest Monday.

Although rains have stopped, flood waters linger in some areas, closing roads and posing ongoing safety risks. The National Weather Service has said flood warnings are expected to persist for several more days in the central U.S. as "numerous river systems will remain in flood stage this week."

"As the weather and flooding is expected to get worse we're staying ahead of things by taking our readiness up to the next level and declaring an emergency where we expect the worst conditions," Gov. Kasich said over the weekend. "We'll quickly add to those areas as it's needed."

Counties affected by the proclamation include: Adams, Athens, Belmont, Brown, Clermont, Columbiana, Gallia, Hamilton, Hocking, Jackson, Jefferson, Lawrence, Monroe, Meigs, Muskingum, Scioto and Washington.

The state's Emergency Operations Center had been preparing for this round of flooding since at least Feb. 18. That's the day the Ohio EMA Watch Office began providing regular awareness reports multiple times a day to state, local and federal agencies.

In recent days meals have been provided to the elderly by the Department of Aging, emergency management liaisons have been dispatched to assist county-level operations centers, and swift water rescue teams have been positioned.

"Ohioans do a good job of looking out for each other and we're doing it again now also," Gov. Kasich said. "Teams at the local level are hard at work and state teams have been coordinating with them and supporting them over the past week."

Following the Kasich order, the EMA transitioned from assessment and monitoring to partial activation and the state's Joint Information Center was opened. That followed Ohio National Guard deployments to help install flood gates and a flood wall in Scioto County.

In recent days, state entities have assisted in providing sand bags and a water pump to communities in Lawrence County. A major rockslide on Monday closed a portion of a highway in that county, according to the Ohio Department of Transportation. State geologists were on the scene.

"I urge people to stay safe by staying informed, not taking any chances and checking in on your neighbors, especially seniors and families with young kids," the governor said. "Call your local city, county or Red Cross if there's anyone who needs help. We'll get through this as we always do, by working together."

At the same time, Attorney General Mike DeWine has issued several tips to steer residents away from flood-related scams that may arise.

"As people across Ohio assess the damage and start the clean-up process, we're reminding consumers to beware of scams," Mr. DeWine said. "Some con artists travel to affected communities to take advantage of people. They offer to help, but once they get your money, they're gone. After the flooding, we also could start to see flood-damaged vehicles entering the market. We just warn people to be careful."

### **Cyberattack Temporarily Shuts Down State Websites, Phones**

The Department of Administrative Services is making modifications after a cyberattack blocked state websites and phone systems for multiple hours Sunday evening.

DAS spokesman Tom Hoyt said the attack was launched shortly after 5:30 p.m. Sunday and "was addressed quickly and remediated at approximately 9:50 p.m."

"It was not a breach - no personal information was compromised," Mr. Hoyt said.

Several accounts seemingly affiliated with the so-called "hacktivist" group Anonymous appear to be taking credit for the attack on social media. Anonymous-linked users posted screenshots showing error pages that appeared when trying to access state websites.

The attack was a denial-of-service attack, which is a concerted effort in which users bombard a targeted system with requests, thereby overloading and disabling it for legitimate users.

"The attack itself was educational in the sense that we now know how this type of attack is done and we can put in filters and prepare to help us be ready if it happens again," Mr. Hoyt said. This is the first time DAS has grappled with this specific method of a denial-of-service attack.

"These types of attacks can be done in different ways so we're aware of them and prepare for them," Mr. Hoyt said. "This was conducted in a different way, but once you go through that, you learn how it's done and we can prepare for the next time."

It's not the first time the state has been faced with a cyberattack.

Nearly a dozen state websites were impacted last year after hackers posted pro-ISIS messages on state homepages. That "internet graffiti-style" attack, however, was believed to be surface-level in nature with hackers not accessing the state's servers. (See Gongwer Ohio Report, June 26, 2017)

### **Environmental Group Calls For Setback, Chemical Reporting Changes Following Well Fire**

The Ohio Environmental Council is pointing to a Feb. 15 explosion and fire at a Belmont County oil well as new evidence pointing to the need for increased well setbacks.

But a leading oil and gas group is accusing the council of seeking to block industry development with its latest call for new legislation.

A horizontal well operated by XTO caught fire earlier this month, causing explosions and leading to the evacuation of residents within a one mile perimeter as the well continued to leak methane and other gasses.

XTO has said it has contracted with various companies to monitor the area and oversee cleanup operations. It has also paid to house 100 households who were displaced. Those residing beyond a half mile from the site have since been moved back into their homes.

The OEC said the incident is a "wake up call" demonstrating a need to strengthen Ohio's current law requiring horizontal wells to be located at least 100 feet from rural homes.

"What this incident demonstrates is that Ohio's current setback laws for horizontal oil and gas wells are clearly insufficient and do very little to protect communities from this new wave of oil and gas development," said Melanie Houston, director of climate programs at the Ohio Environmental Council. "Given the frequency of horizontal well pad incidents in Ohio over the past five years, it is past time for Ohio lawmakers to reconsider a safer setback distance."

The group said the incident also shows the need to examine laws requiring well operators to disclose hazardous chemicals to emergency responders. That debate was a point of contention during budget talks last year. (See Gongwer Ohio Report, April 14, 2017)

"State lawmakers also must close the chemical reporting loophole in Ohio law to make sure that first responders such as those responding to last week's incident can get the full accounting of chemical identities during oil and gas emergencies," Ms. Houston said.

The Ohio Oil and Gas Association, however, said 2012 legislation in that arena "created one of the most stringent regulatory programs for chemical disclosure in the nation."

That bill (SB315, 129th General Assembly) was a far-reaching energy mid-biennium review measure that strengthened requirements. But Democrats and environmental groups at the time said it didn't go far enough with its chemical disclosure provisions. (See Gongwer Ohio Report, May 24, 2012)

"The bill required chemical disclosure to all first responders, providing access to the information that they need and allowed (the Ohio Department of Natural Resources) to ask for additional chemical information when there is an incident," said Matt Hammond, OOGA's senior vice president.

As far as the idea of increased setbacks, the organization accused OEC and its allies of attempting to use a setback increase to snuff out oil and gas development.

"We have all heard the calls for increased setback distances since 2003 and found that environmental groups have supported setback distances for the sole purpose to offend the property rights of landowners and effectively block oil and gas development," Mr. Hammond said.

#### **Schiavoni, Williams Plan Firearm Removal Bill; Yost Unveils School Safety Plan; High Court Hears Janus Case; Kucinich Continues Gun Push...**

Sen. Joe Schiavoni (D-Boardman) and Sen. Sandra Williams (D-Cleveland) on Monday announced their intention to introduce a bill allowing for the removal of firearms from people deemed to be an imminent danger to themselves or others.

The proposal would establish an Extreme Risk Protection Order that would allow family or law enforcement to ask a court to temporarily remove firearms for up to one year.

"Family members are often the first to know when a loved one starts showing signs that they're dangerous to themselves or people around them," Sen. Schiavoni, a Democratic gubernatorial candidate, said in a statement. "Sadly, there aren't many options available to be proactive, remove weapons and prevent those moments from becoming tragedies. This bill is common sense. It provides a clear process when loved ones notice those red flags."

Five other states have similar laws. In announcing the intention to introduce the measure, the lawmakers cited Gov. John Kasich, who in a recent television interview expressed support for ERPOs.

"I am pleased to see the conversation turn and the mood shift toward sensible gun safety measures in Ohio," Sen. Williams said. "I'm also pleased to see Gov. Kasich supporting efforts to combat gun violence. We know how to reduce gun violence in America while still respecting the Second Amendment. This bill is a step forward in that direction."

**School Safety:** State Auditor Dave Yost on Monday rolled out a three-point school safety plan centered on securing buildings.

The attorney general hopeful's plan calls for a statewide inventory of security measures at all 5,200 school buildings across the state and a bond-backed program to modify them to create a single point of entry, install electronic zoned locking systems and add video cameras.

The final piece of the plan calls for the establishment of a training program for school staff volunteers with prior military or law enforcement experience.

"We need to protect our kids at school at least as well as we protect our politicians at work," Auditor Yost said in a statement. "This program takes the same proven tactics and technology we use in government offices-and many private businesses-and puts them to work in our schools, where our greatest treasures are."

**Janus Case:** A day ahead of the U.S. Supreme Court hearing oral arguments in a case that could have far-reaching implications for public sector unions, hundreds gathered on the Statehouse lawn for the "Working People's Day of Action."

The event also comes in the wake of six pieces of legislation introduced in Ohio to revise collective bargaining laws.

"The Ohio Legislative Black Caucus stands in solidarity with labor and working people," Ohio Legislative Black Caucus President and Rep. Stephanie Howse (D-Cleveland) said in a statement. "Right to Work is wrong and has no place in the state of Ohio. Fair labor practices, equitable pay, representation in the workplace and building power through unity are essential to making Ohio stronger, and should be a guaranteed right to all who are willing to work."

Buckeye Institute President Robert Alt said the questioning by Justice Anthony Kennedy during oral arguments should leave union supporters concerned.

"Given how frequently Justice Kennedy is in the majority, his questions have to be a cause of concern for those seeking to continue the practice of forcing public servants to pay for union speech with which they may disagree," he said.

**Gun Control:** The gubernatorial campaign of Dennis Kucinich continues to put gun control in the spotlight.

In the latest move, Mr. Kucinich's running mate, Akron City Councilwoman Tara Samples, plans to introduce a measure to urge state lawmakers to pass a ban on assault weapons.

"Dennis and I, with the help of more than 2,000 grassroots volunteers, are working to convince every city council and every board of education all across Ohio to support getting these killing machines off our streets," she said in a statement. "I couldn't be more proud that my own community is about to become the first in Ohio to take this step."

**New Polling:** A Suffolk University/USA Today poll released Monday found strong support for additional gun restrictions, including 63% of respondents who want semi-automatic weapons banned.

Another 76% said that people treated for mental illness should be banned from owning firearms and 61% said stronger gun control law and background checks could prevent more mass shootings.

The poll also found that 62% believe schools should be required to have metal detectors and 58% believe there should be a requirement that schools have a armed police officer stationed on campus.

However, just 19% believe the prospects of Congress passing gun-control measures are good to excellent and 25% believe there is a fair chance for legislative action. Another 51% said the chances are poor.

"Voters see a Congress that is deaf to their wishes about remedying gun violence in the United States," said David Paleologos, director of the Suffolk University Political Research Center in Boston

The nationwide survey of 1,000 individuals, which has a margin of error of 3%, also found that President Donald Trump's approval rating stands at 38%, down from 47% one year ago.

"President Trump's job performance ratings have had several ups and downs in the past year, with last March's relatively strong showing coming in the aftermath of a well-received speech to Congress," Mr. Paleologos said. "The bump he got after signing the tax bill in December appears to have been overwhelmed in light of young people challenging him on gun issues and the investigation of Russian meddling in U.S elections."

**ODP Training:** The Ohio Democratic Party announced Monday that more than 110 candidates took part in its "Main Street Initiative," which provides training and support to candidates.

"What Democrats are seeing nationally, we're seeing here in Ohio, too - the unprecedented energy and enthusiasm of the grassroots is turning into record numbers of Democratic candidates running in races up and down the ballot," ODP Chairman David Pepper said in a statement. "We're proud to support our state and local candidates when they run for office, as we build our bench of great public servants. We look forward to working with our 2018 'Main Street' candidates from now through Election Day and then touting their successes once they're in office."

### **Governor's Appointments**

**State Auctioneers Commission:** Theresa M. Blocher of Paris for a term beginning February 26, 2018, and ending October 9, 2020.

**Board of Nursing:** Lauralee S. Krabill of Sandusky and Patricia A. Sharpnack of Chardon for terms beginning February 26, 2018, and ending December 31, 2021

## **Supplemental Event Planner**

### **Monday, March 5**

One Ohio Now news conference on state data ahead of the State of the State Address, Ladies Gallery, Statehouse, Columbus, 1 p.m.

### **Wednesday, March 7**

Rep. Martin J. Sweeney (D-Cleveland) fundraiser, Dempsey's, 346 S. High St., Columbus, 5:30 p.m., (Marty, We Love You; \$1,000-\$5,000; Best Buddy; \$500; Good Pal; \$100 Friend: \$25 to Friends of Martin J. Sweeney)

17 S. High St., Suite 630

Columbus Ohio 43215

Phone: 614-221-1992 | Fax: 614-221-7844 | Email: [gongwer@gongwer-oh.com](mailto:gongwer@gongwer-oh.com)

Scott Miller, President | Kent Cahlander, Editor | Melissa Dilley, Mike Livingston, Dustin Ensinger, Jon Reed, Staff Writers

Click the  after a bill number to create a saved search and email alert for that bill.

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**From:** NCSL TODAY

**Sent:** Tuesday, February 27, 2018 11:18 AM

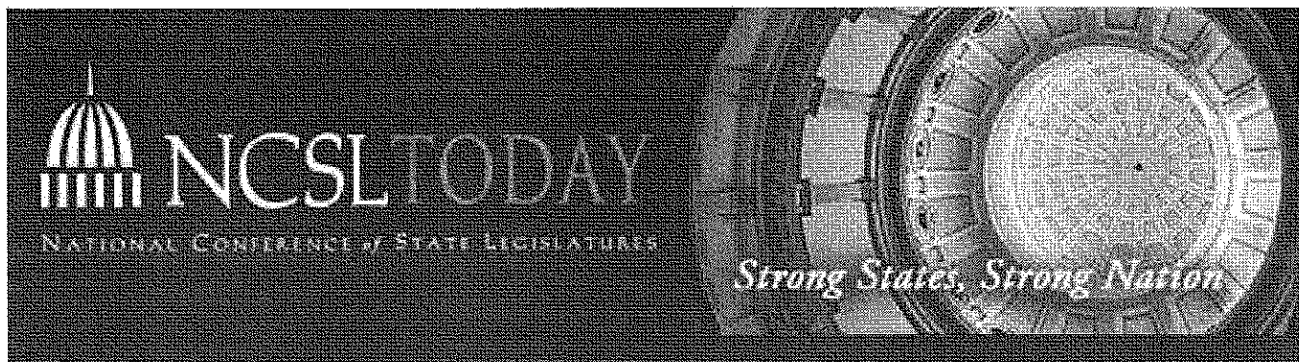
**To:** Kasych, Shawn

**Subject:** What states are doing about gun laws in wake of Florida shooting

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## TOP NEWS Feb. 27, 2018

### What states are doing about gun laws in wake of Florida shooting

*The New York Times*

It is not just in Florida, where the mass shooting at a high school is prompting lawmakers to take up gun control legislation. The same thing is happening across the country, from Washington to Vermont.

[NCSL Blog post on carrying firearms in K-12 schools.](#)

### Supreme Court to hear online tax case April 17

Bloomberg

The U.S. Supreme Court will soon hear a long-simmering challenge about states' taxing authority over online retailers. And states should have the high court's answer by the start of summer. **NCSL brief cited.**

[NCSL resources on remote sales tax collection.](#)

### What the Supreme Court's ruling means for DACA and 'Dreamers'

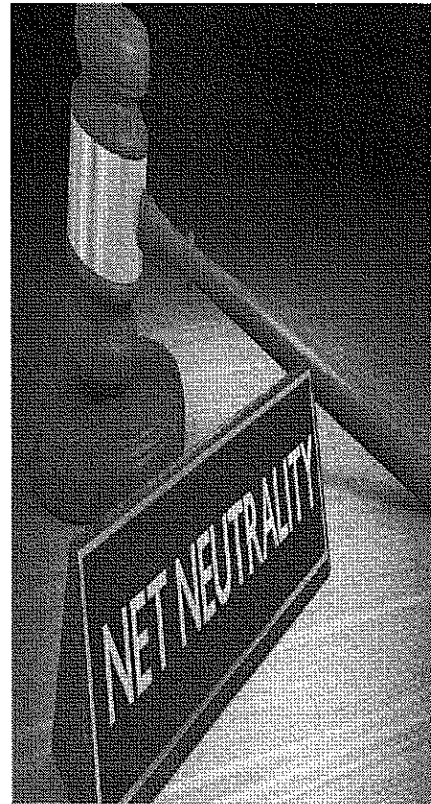
*USA TODAY*

By refusing to hear a California case, the high court ensured that DACA will survive at least through the fall, giving DACA enrollees a temporary reprieve from deportation and Congress more time to craft a permanent solution for them.

[NCSL resources on DACA.](#)

### Iowa lawmakers move to allow health plans that skirt Obamacare rules

*The Des Moines Register*



FEATURED

### Net neutrality legislation in the states

Net neutrality legislation has been introduced in over half of the states, largely in response to the Federal Communications Commission Restoring Internet Freedom Order.

VIEW@NCSL

### 2018 legislative races by state and chamber

The Iowa Farm Bureau Federation could offer health insurance plans that don't comply with the federal Affordable Care Act under legislation advancing in the Iowa Legislature.

### **New Jersey lawmakers: Let inmates vote from prison**

*NJ.com*

State lawmakers on Monday announced legislation that would return voting rights to nearly 100,000 people locked up in prison or serving parole or probation.

[NCSL resources on felon voting rights.](#)

### **Feds provide Connecticut schools money for new students from Puerto Rico**

*CT Mirror*

Connecticut schools scrambled to accommodate the new arrivals — most of them non-English speakers — without additional resources from a cash-strapped state government.

### **Webinar March 9: Fiscal 50 - How does your state rank?**

### **Price of democracy: Splitting the bill for elections**



### **Gorsuch silent during SCOTUS union dues oral argument**

If there ever was a case where the vote of only one Justice is likely to matter it is *Janus v. American Federation of State, County and Municipal Employees*. All attention was focused on Justice Neal Gorsuch this morning as the Supreme Court held oral argument in this case. And he was...silent.



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Washington: 202-624-5400

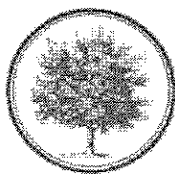
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7700 East First Place, Denver, CO 80230

**From:** The Buckeye Institute  
**Sent:** Tuesday, February 27, 2018 2:47 PM  
**To:** Kasych, Shawn  
**Subject:** AEI President Arthur Brooks to address The Buckeye Institute luncheon March 21

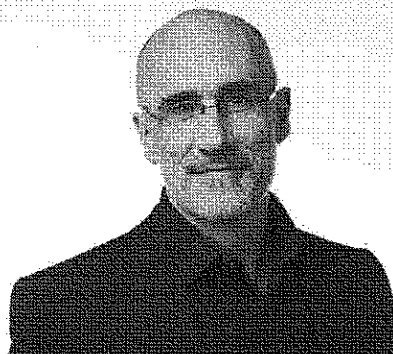
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## THE BUCKEYE INSTITUTE

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You are cordially invited to join us for an extraordinary luncheon talk featuring American Enterprise Institute (AEI) President Arthur Brooks on Wednesday, March 21, at noon.

This is a very special event and great opportunity that you don't want to miss, so register soon as it will likely sell out. (Further details available by following registration link.)

We hope to see you there!

Sincerely,

Your friends at The Buckeye Institute


**Register to Attend**

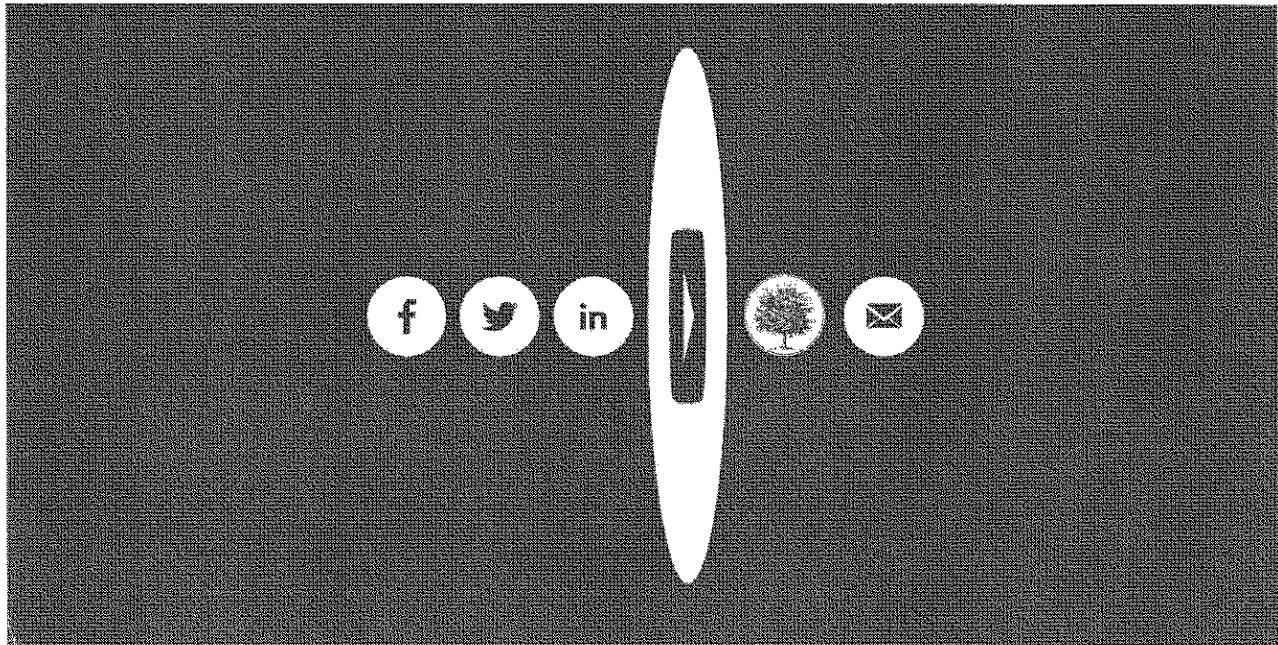
###

*Founded in 1989, The Buckeye Institute is an independent research and educational institution - a think tank - whose mission is to advance free-market public policy in the states.*

= A

*The Buckeye Institute is a non-partisan, nonprofit, and tax-exempt organization, as defined by section 501(c)(3) of the Internal Revenue code. As such, it relies on support from individuals, corporations, and foundations that share a commitment to individual liberty, free enterprise, personal responsibility, and limited government. The Buckeye Institute does not seek or accept government funding.*





The Buckeye Institute, 88 East Broad Street,  
Suite 1120, Columbus, OH 43215

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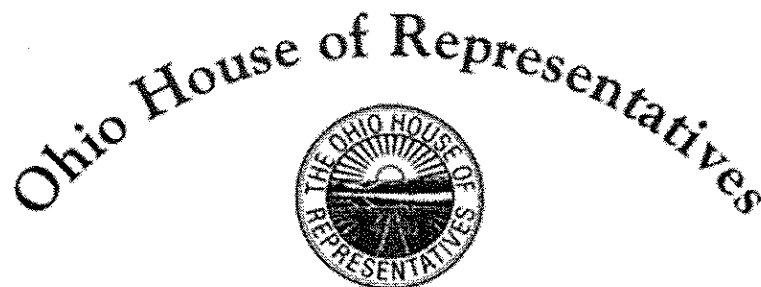
Sent by [info@buckeyeinstitute.org](mailto:info@buckeyeinstitute.org)

**From:** Paretti, Dominic  
**Sent:** Tuesday, February 27, 2018 5:05 PM  
**To:** House\_All  
**Subject:** FW: Request for Co-Sponsorship – Paid Family and Medical Leave

**\*\*REMINDER-DEADLINE TO CO SPONSOR IS MARCH 9, 2018 at 4PM**

Dominic Paretti  
Legislative Aide to Representative Boyd  
Ohio House District 09  
614-644-5079

**From:** Paretti, Dominic  
**Sent:** Monday, February 05, 2018 5:01 PM  
**To:** House\_All <House\_All@ohiohouse.gov>  
**Subject:** Request for Co-Sponsorship – Paid Family and Medical Leave



#### MEMORANDUM

**TO:** All House Members  
**FROM:** Representative Janine Boyd and Representative Kristin Boggs  
**DATE:** February 5, 2018  
**RE:** Request for Co-Sponsorship – Paid Family and Medical Leave

---

We will soon introduce legislation to create the Ohio Family and Medical Leave Insurance Program. Today we chose to send this co-sponsor request as this date marks the 25<sup>th</sup> anniversary of FMLA (Family Medical Leave Act). This legislation will provide 12 weeks of family and medical leave benefits, which will permit individuals to care for a family member, bond with a new child, or address their own serious health condition.

Out of 178 countries worldwide, the United States is one of three that does not provide paid leave to new mothers. So far five states—California, New Jersey, New York, Hawaii and Rhode Island offer some sort of paid leave to men and women who provide care. The federal Family Medical Leave Act provides 12 weeks of leave for family and medical reasons. This time is unpaid and employers with fewer than 50 employees are exempt, which eliminates a large segment of workers. Ohio should lead on the issue of paid leave to grow our economy and allow working people to put family first.

The program will be under the purview of the Department of Job and Family Services. An individual would receive leave insurance benefits for: a health condition which makes him/her unable to perform their job duties; caring for a new child during after birth, adoption, or foster care placement; caring for a child, parent, or spouse who has a serious health condition; or the individual is taking any other leave as authorized by the federal Family and Medical Leave Act. In order to be eligible for program benefits, an individual must file a claim with ODJFS; must have worked at least 680 hours during the base period; premiums have been withheld and remitted for at least one year; and the leave must be for the above-mentioned purposes.

Once established, program benefits will be paid by assessing premiums on employees. Employers will be required to deduct and withhold premiums from employee's wages. However, an employer may opt to pay the contributions on behalf of employees.

An employee who is covered by an employer policy or collective bargaining agreement that provides the employee with greater leave than that provided by the Family and Medical Leave Act may elect not to participate in the Program in accordance with rules adopted by the Director. An employee who elects to opt out of participating in the Program is not liable for any premium or contribution that would otherwise be due under the Program.

Working people in Ohio should not have to worry about losing their job or falling behind financially just to take care of a sick child or relative; address their own serious health condition; or care for and bond with their newborn child. Ohio cities like Dayton and Cincinnati are leading on leave. By allowing working people to put their family first, we can truly make Ohio a better place to live, work, and raise a family.

If you have any questions or would like to co-sponsor this legislation, please contact Dominic Paretti, at 614-644-5079 or via email at [Dominic.Paretti@OhioHouse.Gov](mailto:Dominic.Paretti@OhioHouse.Gov) and Serena Finlay, 614-466-1896 or via email at [Serena.Finlay@OhioHouse.Gov](mailto:Serena.Finlay@OhioHouse.Gov). **The deadline to co-sponsor is Friday, March 9 at 4:00pm.**



**Janine Boyd**  
**State Representative, Ohio House District 09**

*Kristin Boggs*

**Kristin Boggs**  
**State Representative, Ohio House District 18**

**From:** Derksen, Nick  
**Sent:** Tuesday, February 27, 2018 5:26 PM  
**To:** Kasych, Shawn; Lundregan, Scott  
**Subject:** Fwd: Google Drive - Duffey - Report Card Reform - Interested Parties

Please see below that "Ohio Channel has agreed to broadcast the meeting live on their Facebook Page".

Please advise.

Nick Derksen

Begin forwarded message:

**From:** "Duffey, Mike" <Mike.Duffey@ohiohouse.gov>  
**Date:** February 27, 2018 at 5:09:53 PM EST  
**To:** "Duffey, Mike" <Mike.Duffey@ohiohouse.gov>, "Lawlor, Allison" <Allison.Lawlor@ohiohouse.gov>, "Brenner, Andrew" <Andrew.Brenner@ohiohouse.gov>, "Cupp, Bob" <Bob.Cupp@ohiohouse.gov>, "Derksen, Nick" <Nick.Derksen@ohiohouse.gov>, "barbarashaner@gmail.com" <barbarashaner@gmail.com>, "jaysmith@ohioschoolboards.org" <jaysmith@ohioschoolboards.org>, "wschwartz@ohioschoolboards.org" <wschwartz@ohioschoolboards.org>, "jhogue@ohioschoolboards.org" <jhogue@ohioschoolboards.org>, "ash@basa-ohio.org" <ash@basa-ohio.org>, "wvorys@dickinson-wright.com" <wvorys@dickinson-wright.com>, "lynda.oconnor@lakotaonline.com" <lynda.oconnor@lakotaonline.com>, "erin.owens@lakotaonline.com" <erin.owens@lakotaonline.com>, "tom.dunn@miami.k12.oh.us" <tom.dunn@miami.k12.oh.us>, "clarire.bennett@squirepb.com" <clarire.bennett@squirepb.com>, "eroush@columbus.k12.oh.us" <eroush@columbus.k12.oh.us>, "mkline@columbus.k12.oh.us" <mkline@columbus.k12.oh.us>, "wilson.49@osu.edu" <wilson.49@osu.edu>, 'Sam Shim' <samshim2013@gmail.com>, 'Jennifer Best' <jbest@columbus.rr.com>, "lynnbmay@aol.com" <lynnbmay@aol.com>, "heath\_craig@dublinschools.net" <heath\_craig@dublinschools.net>, "oconnor donna@dublinschools.net" <oconnor donna@dublinschools.net>, "mcdonnell tom@dublinschools.net" <mcdonnell tom@dublinschools.net>, Sup't Todd Hoadley <hoadley todd@dublinschools.net>, "swharrisah@aol.com" <swharrisah@aol.com>, "bradley.ingraham@education.ohio.gov" <bradley.ingraham@education.ohio.gov>, "tess.elshoff@education.ohio.gov" <tess.elshoff@education.ohio.gov>,

"nphollister@gmail.com" <nphollister@gmail.com>,  
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<stephanie.dodd@education.ohio.gov>,  
"Kara.Morgan@education.ohio.gov" <Kara.Morgan@education.ohio.gov>,  
Lauren Jones <Lauren.Jones@jeoc.ohio.gov>, Hannah Wann  
<Hannah.Wann@lsc.ohio.gov>, "bsarich@columbus.rr.com"  
<bsarich@columbus.rr.com>, "dotsonm@ohea.org"  
<dotsonm@ohea.org>, "mcropper@oft-aft.org" <mcropper@oft-aft.org>,  
"djohnson@oft-aft.org" <djohnson@oft-aft.org>,  
"drobinson@montrosegroupllc.com"  
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<jstevens@montrosegroupllc.com>, "cwest@buckeyehope.org"  
<cwest@buckeyehope.org>, "sally@sallyperz.com"  
<sally@sallyperz.com>, "kevin@gov-advantage.com" <kevin@gov-  
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advantage.com>, "caldis@edexcellence.net" <caldis@edexcellence.net>,  
"adamhewit@sbcglobal.net" <adamhewit@sbcglobal.net>, "Goddard,  
Roger D." <goddard.9@osu.edu>, "bconrad2@capital.edu"  
<bconrad2@capital.edu>, "mailforbeth@gmail.com"  
<mailforbeth@gmail.com>, "marc9@aol.com" <marc9@aol.com>,  
"jenwene@gmail.com" <jenwene@gmail.com>,  
"jenstackohio@gmail.com" <jenstackohio@gmail.com>,  
"jonathanjuravich@gmail.com" <jonathanjuravich@gmail.com>,  
"dan@ohiochannel.org" <dan@ohiochannel.org>  
**Cc:** "Klaber, Gretchen" <Gretchen.Klaber@ohiohouse.gov>, "James, Ben"  
<Ben.James@ohiohouse.gov>

**Subject: Google Drive - Duffey - Report Card Reform - Interested Parties**

Greetings everyone:

Below please find the **Google Drive** link with supporting materials for our ongoing interested parties meeting process for state report card reform.

<https://drive.google.com/drive/folders/1nYGrazzuhHRMS1vJKO0ZitXGnLuBNrDO?usp=sharing>

I have attempted an initial organization of the documents using folders. Please read the **READ ME** document first. Please also note the **register of interested parties** – please send me the names of individuals you think might wish to be added for future meetings.

I hope you find this shared documentation helpful.

I look forward to seeing many of you in two days, this **Thursday, February 29, 2018 for our 2<sup>nd</sup> IP meeting on State Report Card Reform with Rep. Duffey, to be held 11:30-1:30 p.m. in the Riffe Center, 13<sup>th</sup> Floor West Conference Room.**

\*\* Please be advised that the **Ohio Channel** has agreed to **live stream** this IP meeting on the **Ohio Channel Facebook page**. This stream will be archived and I will add it to our Google Drive documentation for those who cannot attend or wish to watch it again later. \*\*

Warm regards, MD

Representative Mike Duffey  
Ohio House of Representatives, 21st District  
77 S. High Street, 13<sup>th</sup> Floor  
Columbus, Ohio 43215  
614.644.6030 - Riffe Office  
mike.duffey@ohiohouse.gov

**From:** Fedor, Teresa  
**Sent:** Tuesday, February 27, 2018 9:34 PM  
**To:** Paretti, Dominic  
**CC:** House\_All  
**Subject:** Re: Request for Co-Sponsorship – Paid Family and Medical Leave

Yes

Sent from my iPhone

On Feb 27, 2018, at 5:05 PM, Paretti, Dominic <[Dominic.Paretti@ohiohouse.gov](mailto:Dominic.Paretti@ohiohouse.gov)> wrote:

**\*\*REMINDER-DEADLINE TO CO SPONSOR IS  
MARCH 9, 2018 at 4PM**

Dominic Paretti  
Legislative Aide to Representative Boyd  
Ohio House District 09  
614-644-5079

---

**From:** Paretti, Dominic  
**Sent:** Monday, February 05, 2018 5:01 PM  
**To:** House\_All <[House\\_All@ohiohouse.gov](mailto:House_All@ohiohouse.gov)>  
**Subject:** Request for Co-Sponsorship – Paid Family and Medical Leave

**<image001.png>  
MEMORANDUM**

**TO:** All House Members  
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**DATE:** February 5, 2018  
**RE:** Request for Co-Sponsorship – Paid Family and Medical Leave

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<image002.jpg>

**Janine Boyd**

**State Representative, Ohio House District 09**

<image003.png>

**Kristin Boggs**

**State Representative, Ohio House District 18**

**From:** Capitol Letter

**Sent:** Thursday, March 1, 2018 6:15 AM

**To:** Kasych, Shawn

**Subject:** House OKs bill allowing debt-settlement companies in Ohio

= 9

Thursday, March 1, 2018

[View in Browser](#)

= 9



= 9

# Capitol Letter

Laura Hancock and Jeremy Pelzer

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## = 9 **Rotunda Rumblings**

= 9 **Debt settlement bill clears House:** The Ohio House on Wednesday voted 58-37 to pass legislation allowing for-profit debt settlement providers — companies hired to negotiate lower payments with a debtor's creditors — to operate in the state. Supporters of House Bill 182 say it will give consumers more choices to avoid financial ruin. Opponents say the measure (which now heads to the Senate) would allow non-lawyers to engage in the practice of law and wouldn't cap fees the companies could charge.

= 9 **Payday lending reform deal?** House Speaker Pro Tem Kirk Schuring told reporters Wednesday that a revised bill to toughen rules on payday

lenders will be unveiled "maybe in the next two weeks." Schuring and Rep. Kyle Koehler have been holding behind-the-scenes meeting for months on the issue. Schuring suggested the new proposal wouldn't address auto-title lending: "As Rep. Koehler has said many times over, that's already in the revised code."

= 9

**Some aren't willing to wait:** Anti-payday lender advocates took a first step Wednesday toward putting a proposed constitutional amendment on the ballot that would impose stricter rules on the industry. Cleveland.com's Jackie Borchardt has more on what they're seeking to do.

= 9 **Tuition tax-break:** The Ohio House on Wednesday passed Senate Bill 22, which would move Ohio's tax code in line with the recently passed GOP federal tax-reform plan, including allowing tax-advantaged 529 college savings accounts to also be used for K-12 tuition at private schools -- an estimated \$20 million tax break, according to critics. The bill now heads back to the Senate for a concurrence vote.

= A **Local matters:** House members also voted overwhelmingly to pass House Bill 415, which would drive half of any annual state general revenue fund surplus into a new fund for local government road improvements. Representatives also passed House Bill 422 (which would allow municipalities to sell or lease their wastewater or sewage-treatment systems to utility companies).

= 9 **Election officials:** On the other side of the Statehouse, the Ohio Senate voted 27-5 to pass a bill that could reduce from four to two the number of precinct election officials in a multi-precinct voting location that uses electronic poll books. Senate Bill 21 sponsor Joe Uecker said the Ohio Association of Election Officials asked for the bill, and local governments would have the option of whether to reduce the number. The bill now heads to the House.

= 9 **Saving the Crew?** The Ohio Senate unanimously adopted a non-binding resolution urging the Major League Soccer team -- whose owner has threatened to move it to Austin, Texas -- to stay in Ohio. However, lawmakers appear unwilling to bow to owner Anthony Precourt's demand that the team play in a downtown Columbus stadium, as there is no money

for any stadium in the capital budget bill.

= 9 **Not a good feel for O'Neill:** An Ohio Democratic Party vetting committee has expressed deep concerns that if Bill O'Neill wins the party's nomination for governor, he could sink the whole Democratic ticket, Capitol Letter's Laura Hancock reports. The committee cited the former Ohio Supreme Court justice's financial and ethical challenges and inflammatory social media posts. Still, O'Neill, a regular critic of party leadership, will be allowed to participate in party debates.

= 9 **Ted's take:** Ohio 12th Congressional District Democratic candidate Danny O'Connor picked up an endorsement Wednesday from ex-Gov. Ted Strickland. In a statement, Strickland said the Franklin County recorder "represents our best chance of taking back this seat."

## = 9 **Stories We're Talking About**

= 9 **Heavey hammer:** Dr. Jon Heavey, a Rocky River doctor hoping to run for governor, sued the Ohio secretary of state's office over its decision to keep him off the ballot, cleveland.com's Seth Richardson writes. Heavey did not receive enough valid signatures to qualify for the May primary ballot, the secretary of state's office contends. "We're confident we have professional compliance experts working to regain our ballot access," Heavey said in a statement.

= A **Saving pensions:** Ohio's U.S. senators, Sherrod Brown and Rob Portman, were named to a committee whose mission is "to try to preserve union retirees' pensions without a raid on the federal Pension Benefit Guaranty Corp," cleveland.com's Stephen Koff writes. Brown will co-chair the panel.

= 9

**Fresh look:** The state will begin mailing driver's licenses and identification cards instead of issuing them at Ohio's license bureaus beginning July 2, the Ohio Bureau of Motor Vehicles announced Wednesday. The licenses and cards will also feature a new look with more security features, cleveland.com's Karen Farkas writes.

= 9 **A wealth of information:** U.S. Rep. Jim Renacci is the 16th most wealthy member of Congress, according to Roll Call, cleveland.com's Sabrina Eaton reports. The Republican U.S. Senate candidate is Ohio's wealthiest member of Congress, with at least \$34.4 million in assets. Eaton has Roll Call's rankings for all Ohio Congress members.

= 9

**Nope:** A federal judge in Akron on Wednesday threw out a legal challenge to an Ohio internet harassment law by the liberal blog Plunderbund and the Portage County Tea Party, cleveland.com's Eric Heisig writes. The lawsuit, filed in May, challenged a law passed in April 2016. It claimed that the law was overly broad and violated the First Amendment by prohibiting critical speech of public officials.

## = 9 **Five Questions**

= 9

Republican Frank Hoagland is a first-term Ohio senator who served as a Navy SEAL for nearly 30 years. He and his wife were high school prom king and queen and have been married for over 35 years. They have two grown sons, Luke and Josh.

= A 1. *As a Navy SEAL, you fought the war on drugs. What should Ohio do about the opioid crisis?*

= 9

"We've got to think outside the box...[which] in some cases is extremely difficult to do when you hang around the flagpole... The use of technology is going to be a huge asset in fighting the opioid issue, and some tough love. I've actually been working on a project with some former military guys that is way outside the box of thinking of what we have been doing in the state of Ohio."

= 9 2. *Could you elaborate a little bit on the project?*

= 9 "There is a program out on the West Coast that has gone through a four-year study for guys that have PTSD, anxiety and depression. My first year in office was pretty tough, because I had several of my friends commit suicide and another friend of mine went through this treatment... He hung in there and he's claiming it's because of the treatment that he got... I

believe that if we can treat the mind, the body will follow.”

= 9 3. *You're a retired Navy SEAL and first-term senator. Are there any similarities between the two jobs?*

= 9

“Making the right decision, and that’s very serious... In my past life, if I made a decision just an increment of time too early, that could have been a bad decision. If I made a decision just a small increment of time too late, that could have been the wrong decision. Now the difference was, in the world that I came from, people died. In this world, we are talking about policy changes.”

= 9

4. *What do you like to do in your spare time when you're not working as a lawmaker?*

= 9 3 01 I like to build things. I built my own house. I built my own swimming pool during the campaign, believe it or not. I built it my own self. It saved me a boatload of money.”

= 9 5. *How long have you had your dog?*

= 9 “Since she was a little fur ball. Her name is Stella. I always name my dogs after things that I either do or see. So, when we first bought her... I stand there drinking a beer and my pal says, ‘Hoag, what are you going to name your dog?’ And I am looking at the beer I am drinking, and it said ‘Stella’ 0 and below that it said ‘Belgian.’ I got a Belgian [Malinois] dog. I got a Belgian beer. I guess I’ll call her Stella.”

## = 9 **What's Going On Today**

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**9 a.m. to 3 p.m.** – Women's Fund of Central Ohio Statehouse Day: Events around the Statehouse include a luncheon with guest speaker Lilly Ledbetter, the plaintiff in a landmark gender pay equity lawsuit.

= 9 **9 a.m.** – **Sen. Frank LaRose to outline changes to voting-machine bill**: The Republican secretary of state candidate plans to discuss a substitute bill to his legislation, Senate Bill 135, that would offer state

money for counties to buy new voting machines. *Harding Press Room, Room 109, Ohio Statehouse.*

= 9 **9:30 a.m. – Senate Finance Committee:** After LaRose's news conference, the panel is set to adopt the sub bill to SB 135. *Finance Hearing Room, Senate Building.*

= 9 **11 a.m. – Betty Sutton to tour manufacturing tech center in Cleveland:** The Democratic candidate for lieutenant governor is set to discuss manufacturing career training programs with administrators at the Tri-C Manufacturing Technology Center. *2415 Woodland Ave., Cleveland.*

= 9 **11:30 a.m. – Rep. Rick Carfagna fundraiser:** The Delaware County Republican is seeking contributions between \$350 and \$1,000. *OHROC, 7th Floor, 21 W. Broad St.*

= 9

**5 to 7 p.m. – Danny O'Connor congressional campaign kickoff:** Sponsor levels for the Democratic 12th Congressional District candidate range from \$100 to \$2,700. Admission for Young Democrats is \$25. *Rambling House, 310 E. Hudson St.*

= 9 **Birthdays**

= 9

U.S. Rep. Warren Davidson

= 9 Franklin County Auditor Clarence Mingo

= 9 Joseph Nichols, Buckeye Institute strategic partnerships officer  
State Rep. Dorothy Pelanda

The State of Ohio (it was admitted to the Union on March 1, 1803)

= 9

## **Straight From The Source**

= 9 "#BringBackTheMooch"

= 9

- Amanda Wurst on Twitter Wednesday, responding to reports that White House Communications Director Hope Hicks is leaving. Wurst, Democratic ex-Gov. Ted Strickland's press secretary, jokingly advocated for Anthony Scaramucci to return to the post.

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***One of our aims with Capitol Letter is frequent communication with you, the reader. We value your thoughts and suggestions about the newsletter. What do you think of it? What features do you like? What could we do better? Is there a topic you'd like to see us address? And what time would you like to receive the newsletter? We've been sending it at about 6:15 a.m. Would you like it to arrive earlier? We value your feedback and are committed to making Capitol Letter your essential first read of the morning. Email us at [Capitolletter@cleveland.com](mailto:Capitolletter@cleveland.com).***

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**Sent:** Friday, March 2, 2018 8:50 AM  
**To:** Westlake, Libby  
**Subject:** E-Clips for 3/2/2018

## HOUSE E-CLIPS

3/2/2018



### **BILL WOULD REQUIRE DRIVERS TO MOVE OVER FOR GARBAGE TRUCKS**

The Ohio House will consider legislation giving garbage trucks “move-over” protections in place for emergency vehicles.

### **NEXT PHASE OPENS IN OHIO’S \$8M OPIOID TECHNOLOGY CHALLENGE**

Ohio launched the second stage of its global technology challenge Wednesday aimed at finding solutions to the U.S. opioid crisis.

### **MORE THAN 131,000 ISSUED CONCEALED CARRY LICENSES IN OHIO**

Ohio’s attorney general says more than 131,000 residents were issued licenses last year to carry concealed weapons.

### **OHIO BILL WOULD ALLOW PROTECTIVE ORDERS FOR DATING VIOLENCE**

A bipartisan bill allowing victims of dating violence to seek protective orders against alleged perpetrators is on its way to Ohio Republican Gov. John Kasich.

### **KASICH PROPOSES ‘RED FLAG’ LAW, OTHER GUN CHANGES IN STATE**

Gov. John Kasich on Thursday advocated a “red flag” law for Ohio, a ban on armor-piercing ammunition and other gun policy positions he says represent political consensus in a bellwether state that could fly nationally.

### **2 DEMOCRATS FOR OHIO OFFICES WANT OPEN REDISTRICTING PROCESS**

Two Democrats seeking statewide office in Ohio are pitching a plan they say would guarantee Ohio’s redistricting process for congressional districts is more transparent to the public.



### **FOR SCHIAVONI RUNNING MATE, DRUG CRISIS IS ALL IN THE FAMILY**

Ohio’s opioid epidemic is so extensive that it’s struck the families of at least two of those seeking statewide office.

### **KASICH UNVEILS ‘UNANIMOUS’ PROPOSALS TO CURB GUN VIOLENCE**

Saying he has to deal with the art of what's possible — what can pass the Republican-dominated General Assembly, Gov. John Kasich proposed six gun-law reforms on Thursday that he believes he can help Ohio avert some gun deaths.

#### **CRITICS SLAM MEDICAID WORK PROPOSAL**

Advocates, health-care providers and others slammed a state plan on Thursday that would require most non-disabled adults on Medicaid to work or lose their tax-funded health care.

#### **LAWMAKERS OFFER COUNTIES \$114.5 MILLION FOR VOTING MACHINES**

Counties would get nearly \$115 million in state money to replace aging voting machines in time for the 2019 election under a bill expected to pass the legislature this spring.

#### **REP. BOGGS NEEDS HELP TO QUALIFY FOR PRIMARY BALLOT**

State Rep. Kristin Boggs, D-Columbus, will need help from Republican Secretary of State Jon Husted in order to qualify to run as a write-in candidate for the May primary.

#### **MAYOR GINTHER ENDORSES CORDRAY FOR GOVERNOR**

Columbus Mayor Andrew Ginther on Thursday endorsed Richard Cordray, former Ohio attorney general and former director of the U.S. Consumer Financial Protection Bureau, in the Democratic primary for governor.

#### **EDITORIAL: WORKPLACE DRUG USE DEMANDS ATTENTION**

Drugs and workplaces don't mix. That's common sense, but now employers have more reasons to take a hard line against employee drug use.

**Dayton Daily News**  
[www.daytondailynews.com](http://www.daytondailynews.com)

#### **MORE THAN 131,000 OHIOANS GET PERMITS TO CARRY CONCEALED GUNS**

More than 131,000 Ohioans got their licenses last year to carry concealed weapons — 77,281 new ones and 54,064 renewals, according to Ohio Attorney General Mike DeWine.

## **THE PLAIN DEALER**

#### **\$114.5 MILLION PROPOSED FOR NEW OHIO VOTING MACHINES**

Ohio counties could soon get some money from the state to help replace aging voting equipment.

#### **PLANNED PARENTHOOD TO FOCUS ON OHIO RACES FOR U.S. SENATE AND GOVERNOR**

Planned Parenthood political organizations announced Thursday that they'll spend at least \$20 million in this year's elections, with a particular focus on gubernatorial and Senate races in Ohio and seven other states.

#### **OHIO GOV. JOHN KASICH PROPOSES 6 GUN POLICY CHANGES**

Tightening background checks for gun buyers and allowing "red flag" protection orders were among six gun violence policy recommendations made Thursday by a bipartisan panel assembled by Gov. John Kasich.

### **JUSTICE DEPARTMENT HASN'T DECIDED WHETHER TO PARTICIPATE IN OPIOID LITIGATION**

As U.S. Attorney General Jeff Sessions promised, the Justice Department on Thursday evening filed a "statement of interest" in the swath of lawsuits being heard in Cleveland that accuse drug manufacturers and distributors of heavily contributing to the nation's opioid epidemic.

## **THE ENQUIRER**

### **JOHN KASICH'S 'COMMONSENSE' GUN CONTROL PLAN: WOULD NEW OHIO GUN LAWS MAKE A DIFFERENCE?**

John Kasich wants to change Ohio's gun laws, touting support for "commonsense" measures from a handful of Republicans and Democrats.

## **THE BLADE**

One of America's Great Newspapers

### **KASICH PROPOSES GUN REFORM MEASURES**

Gov. John Kasich on Thursday unveiled a package of proposed gun law reforms to prohibit the sale of armor-piercing ammunition and third-party "strawman" sales of guns to people prohibited from having them.

### **PROPOSAL WOULD FUND NEW VOTING MACHINES**

Ohio would borrow \$114.5 million to help counties replace an aging fleet of voting machines in time by next year under a bill reworked Thursday.

### **EDITORIAL: RIGHT-TO-WORK INFRINGES ON EMPLOYERS**

Is it too much to ask for some consistency from time to time?

### **EDITORIAL: DENNIS KUCINICH LEADING ON GUN ISSUE**

Successful political campaigns sometimes catch a breeze they never counted on because of some unexpected occurrence that changes public attitudes between the time the candidates filed and the time the voters vote.

## **The Vindicator**

### **SCHIAVONI GETS THE MAHONING DEMOCRATIC ENDORSEMENT FOR GOVERNOR**

When it came to endorsing a candidate for governor, the Mahoning County Democratic Party overwhelmingly went for one of its own.

**From:** The Buckeye Institute

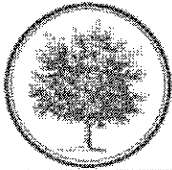
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**Subject:** ICYMI: Buckeye's Rea Hederman in National Review, Can States Repair Obamacare's Damage?

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## THE BUCKEYE INSTITUTE

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In National Review, Buckeye's Rea S. Hederman Jr. and the Galen Institute's Doug Badger call on Congress and the administration to give states more latitude to fix their health insurance markets, which is the central recommendation of their new **Mercatus Center** study.

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# NATIONAL REVIEW

**Can States Repair Obamacare's Damage?**

National Review  
By Doug Badger and Rea Hederman  
March 2, 2018

Washington broke insurance markets. It should let states try to fix them.

Having failed to repeal the Affordable Care Act, congressional Republicans now want to create a new **corporate welfare program** to save it.

Here's a better idea: Congress and the administration should give states more latitude to clean up the mess - at no additional cost to the federal government.

That is a central recommendation of a new **Mercatus Center study** that we co-authored. Our study examined congressional and federal proposals that surfaced throughout last year in the broader context of the star-crossed "repeal and replace" debate.

The most promising ideas to repair broken insurance markets emanated not from Washington, but from the states.

That should surprise no one. States have traditionally been the primary regulators of health insurance, as they are for other forms of insurance. Obamacare rests on the hubris that federal bureaucrats could regulate health-insurance markets better than could states.

Federal intervention has proven a mixed blessing or a mixed curse, depending on your point of view. Insurance coverage is more accessible to those with chronic medical conditions who don't have employer-sponsored insurance and don't qualify for Medicare or Medicaid. More low-income people have insurance today than in 2013. If you spend **\$1.8 trillion** on Medicaid expansions and subsidies, you're bound to help some.

But others are hurting. Premiums for non-group coverage **more than doubled** between 2013 (the year before Obamacare took effect) and 2017 and increased by another **37 percent** this year. Consumers, like many insurers, have responded by abandoning those markets. The individual market **began to shrink** in 2016, a contraction that appears to have accelerated last year.

Yet the green shoots of state innovation continue to sprout from Obamacare's ruins. The question is whether Washington will nurture or uproot them.

Our study chronicles how federal legislative efforts to repeal Obamacare gradually evolved to allow more state control over how federal resources would be directed and more latitude to deviate from the law's stultifying regulatory regime.

At the same time, the Trump administration **encouraged** states to take full advantage of an obscure **provision** of the Obamacare statute that permits the Centers for Medicare and Medicaid Services to grant waivers to states to sidestep some of the law's most onerous requirements.

States responded aggressively to the administration's overtures. A number of proposals emerged, each of which set forth cutting-edge ways to make health insurance more affordable, especially to those who don't qualify for federal subsidies.

Most importantly, states had to show that their waivers wouldn't result in additional federal spending. Instead, their programs had to allocate federal dollars more efficiently, reducing premiums and, as a consequence, federal premium-assistance subsidies, holding the federal government harmless.

Alaska, unlike other states, won federal approval for its "reinsurance" waiver. They finance it partially with state funds and partially with federal money that would otherwise have been paid directly to insurers on behalf of low-income enrollees. The results are promising. Premiums for the lowest-priced Bronze plan in the state fell by **25 percent** in 2018. In other states, premiums for such plans rose by a median of 16.4 percent.

Congressional Republicans are learning the wrong lessons from Alaska. The insurance lobby has convinced GOP lawmakers that state reinsurance programs would work even better if they weren't budget-neutral to the federal government. The more the feds **spend**, lobbyists argue, the more consumers will save.

Our study suggests that giving states more control over their markets (rather than more money for insurance companies) is the far better path. Allowing them more latitude to deviate from the ACA's stringent structure can help make insurance more affordable, while still protecting consumers.

Unfortunately, many states are feeling burned. The Trump administration invited them to innovate, then declined to approve many of their innovative proposals. The administration should restore that trust by rescinding Obama-era guidelines that impose counterproductive limitations on waivers and taking additional steps to streamline the waiver approval process.

Congress also should consider building on a legislative **proposal** by Lindsey Graham (R., S.C.) and Bill Cassidy (R., La.) that would empower states to implement consumer-centered health-care reform. The Graham-Cassidy measure would provide federal resources to states instead of to insurance companies and task states with designing programs to make individual health insurance affordable to their residents, regardless of their income or medical condition.

At the very least, Congress should refrain from spending additional federal money on reinsurance arrangements that states can implement in a budget-neutral way. Like the administration, it should instead work to make the Obamacare waiver process more friendly to states.

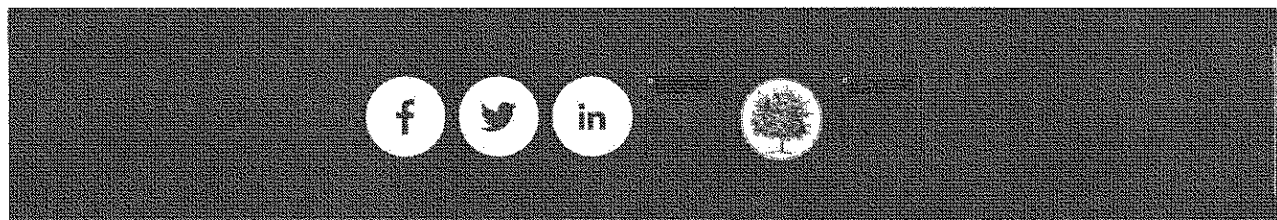
Waivers give states authority to do what Congress has failed to do: calm the market turbulence that Congress itself created with Obamacare's enactment. Congress and the administration should facilitate the use of that authority.

###

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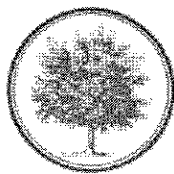
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**From:** The Buckeye Institute  
**Sent:** Monday, March 5, 2018 7:01 AM  
**To:** Kasych, Shawn  
**Subject:** More Than \$18 Million Spent on The Buckeye Institute's Top 10 List of Worst Capital Budget Requests

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Contact: Lisa Gates, Vice President of Comms

**FOR IMMEDIATE RELEASE**

March 5, 2018

(614) 224-3255 or [Lisa@BuckeyeInstitute.org](mailto:Lisa@BuckeyeInstitute.org)

### **More Than \$18 Million Spent on The Buckeye Institute's Top 10 List of Worst Capital Budget Requests**

*Ohio's Capital Budget Riddled with More Than \$85 Million in Pork Spending*

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**Columbus, OH** -- Today, **The Buckeye Institute** unveiled its Top 10 Worst Capital Budget Requests of 2018, which total more than \$18 million in spending. Buckeye's review of the capital budget also found more than \$85 million in pork barrel or highly localized projects that should be paid for with private donations or through local efforts.

"As our Top 10 list shows, once again, Ohio's capital budget is riddled with pork projects that benefit narrow local interests and not larger state needs. If these, and other pork

projects in the budget, were funded using local or private dollars, as they should be, Ohio could have at least \$85 million more that it could spend on pressing state priorities, save, or better yet, return to taxpayers," said Greg R. Lawson, research fellow at The Buckeye Institute. "Policymakers should do more to heed our call to focus the capital budget on **strengthening Ohio's physical and democratic infrastructure** and move away from projects of predominately local interest. Simply put, it is hard to see how it benefits someone in Youngstown for Cincinnati to get a soccer stadium or how people in Cleveland benefit from renovations to COSI."

### **Buckeye's Top 10 Worst Capital Budget Requests of 2018**

- **\$400,000** to build government owned broadband networks in North Olmsted, Southern Miami Valley, and Fairborn. The Buckeye Institute has shown these networks would be **better built by the private sector**;
- **\$5 million** for the **COSI Connection Corridor**, a retail and restaurant space, in Columbus;
- **\$1 million** for two **Columbus Zoo** exhibits, which is partially funded by Franklin County property taxes;
- **\$1 million** for an **atrium at the North Market** that will connect it to the 35-story office and residential Market Tower;
- **\$800,000** for six splash pads around the state;
- **\$2.5 million** to expand the **Cleveland Museum of Natural History**;
- **\$1.3 million** to renovate the **Blossom Music Center in Cuyahoga Falls**;
- **\$4 million** for a new **Major League Soccer stadium in Cincinnati**. The money will only be released if Cincinnati is awarded an MLS expansion team;
- **\$1.2 million** for renovations to Cincinnati Playhouse in the Park; and
- **\$1 million** for renovations to the **Toledo Museum of Art**.

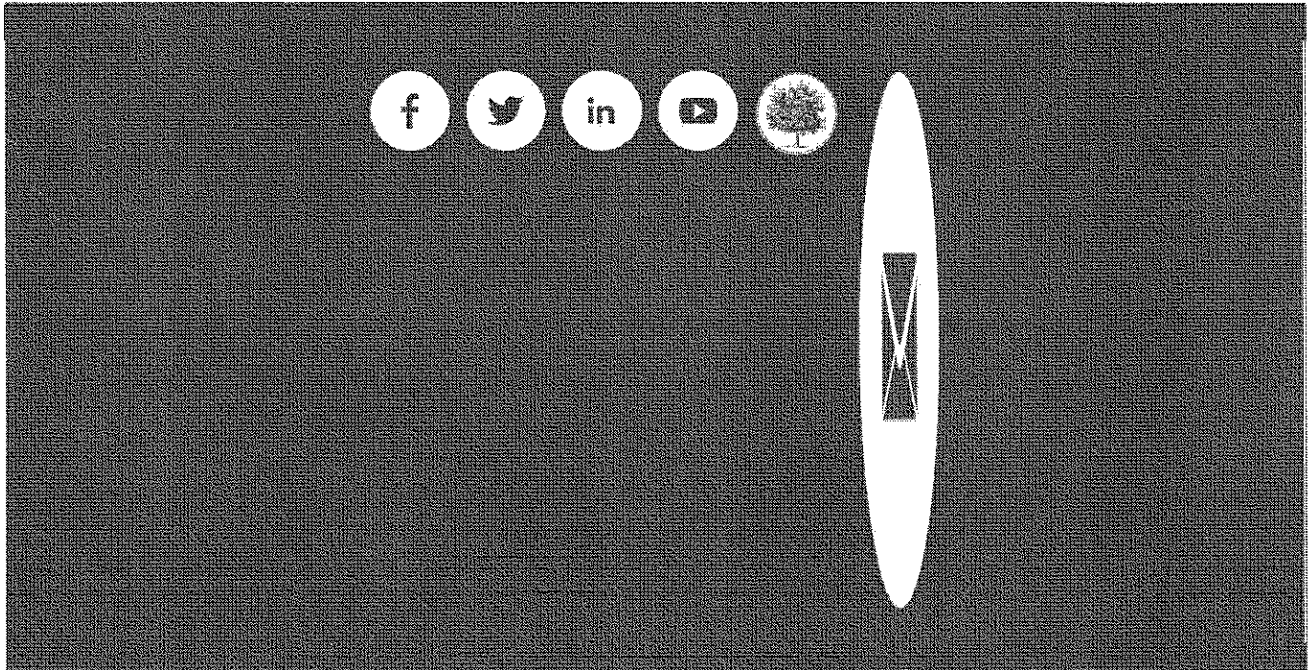
In its report in *Principled Spending: Using Ohio's Capital Budget to Benefit Ohioans*, Buckeye outlined three principles to guide policymakers - constrain the growth of state government, eliminate corporate and special interest welfare, and focus spending on the core functions of state government. The Buckeye Institute also urged policymakers to use the 2018 capital budget to strengthen Ohio's physical and democratic infrastructure.

A review of the capital budget shows that more than \$1 billion is being used to strengthen Ohio's physical infrastructure and there is no money in the capital budget being used to strengthen Ohio's democratic infrastructure.

###

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**From:** Finlay, Serena  
**Sent:** Monday, March 5, 2018 11:11 AM  
**To:** Paretto, Dominic  
**Subject:** Request for Co-Sponsorship – Paid Family and Medical Leave

**REMINDER-DEADLINE TO CO SPONSOR IS THIS FRIDAY AT 4PM**



**MEMORANDUM**

**TO:** All House Members  
**FROM:** Representative Janine Boyd and Representative Kristin Boggs  
**DATE:** February 5, 2018  
**RE:** Request for Co-Sponsorship = 6 Paid Family and Medical Leave

---

We will soon introduce legislation to create the Ohio Family and Medical Leave Insurance Program. Today we chose to send this co-sponsor request as this date marks the 25<sup>th</sup> anniversary of FMLA (Family Medical Leave Act). This legislation will provide 12 weeks of family and medical leave benefits, which will permit individuals to care for a family member, bond with a new child, or address their own serious health condition.

Out of 178 countries worldwide, the United States is one of three that does not provide paid leave to new mothers. So far five states—California, New Jersey, New York, Hawaii and Rhode Island offer some sort of paid leave to men and women who provide care. The federal Family Medical Leave Act provides 12 weeks of leave for family and medical reasons. This time is unpaid and employers with fewer than 50 employees are exempt, which eliminates a large segment of workers. Ohio should lead on the issue of paid leave to grow our economy and allow working people to put family first.

The program will be under the purview of the Department of Job and Family Services. An individual would receive leave insurance benefits for: a health condition which makes him/her unable to perform their job duties; caring for a new child during after birth, adoption,

or foster care placement; caring for a child, parent, or spouse who has a serious health condition; or the individual is taking any other leave as authorized by the federal Family and Medical Leave Act. In order to be eligible for program benefits, an individual must file a claim with ODJFS; must have worked at least 680 hours during the base period; premiums have been withheld and remitted for at least one year; and the leave must be for the above-mentioned purposes.

Once established, program benefits will be paid by assessing premiums on employees. Employers will be required to deduct and withhold premiums from employee's wages. However, an employer may opt to pay the contributions on behalf of employees.

An employee who is covered by an employer policy or collective bargaining agreement that provides the employee with greater leave than that provided by the Family and Medical Leave Act may elect not to participate in the Program in accordance with rules adopted by the Director. An employee who elects to opt out of participating in the Program is not liable for any premium or contribution that would otherwise be due under the Program.

Working people in Ohio should not have to worry about losing their job or falling behind financially just to take care of a sick child or relative; address their own serious health condition; or care for and bond with their newborn child. Ohio cities like Dayton and Cincinnati are leading on leave. By allowing working people to put their family first, we can truly make Ohio a better place to live, work, and raise a family.

If you have any questions or would like to co-sponsor this legislation, please contact Dominic Paretti, at 614-644-5079 or via email at [Dominic.Paretti@OhioHouse.Gov](mailto:Dominic.Paretti@OhioHouse.Gov) and Serena Finlay, 614-466-1896 or via email at [Serena.Finlay@OhioHouse.Gov](mailto:Serena.Finlay@OhioHouse.Gov). **The deadline to co-sponsor is Friday, March 9 at 4:00pm.**



**Janine Boyd**  
State Representative, Ohio House District 09

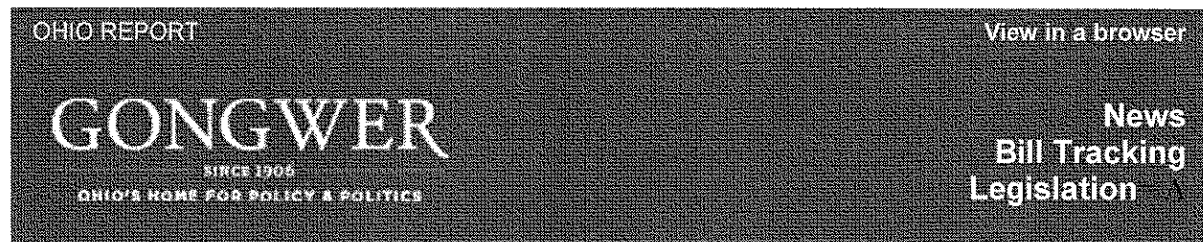


**Kristin Boggs**  
State Representative, Ohio House District 18

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**Volume #87, Report #43 -- Monday, March 5, 2018**

**Children Services Rule To Get Second Look After Concerns Raised At JCARR**

The Department of Job and Family Services will refile a proposed rule dealing with child abuse and neglect investigations after agencies said it would lead to more cases and higher costs.

The Public Children Services Association of Ohio told members of the Joint Committee on Agency Rule Review Monday that the proposed rules would prevent agencies from making "collateral contacts" before deciding to accept a case. That means they would not be able to check certain details, such as whether a parent was in drug treatment, before opening an investigation.

ODJFS argued the county agencies have long been advised in state guidance not to do so. Contacting other people about a potential child abuse or neglect case before contacting the parent can jeopardize the parent's privacy.

The proposed rule changes were designed in part to incorporate revisions to the federal Comprehensive Addiction and Recovery Act, which require more mandatory reporting in cases where children are born addicted to drugs.

The department included the provision preventing collateral contacts before cases to reinforce provisions that have been in guidance for more than a decade, Carla Carpenter, deputy director for the Office of Families and Children at ODJFS, told JCARR.

"The change to the rule merely echoes the guidance that we have been providing since 2005," she said.

Mary Wachtel, director of public policy for the PCSAO, said the rules would make it harder for agencies to screen potential cases by preventing them from following up for more information on referrals before opening an official investigation. It could lead to agencies opening investigations for children who aren't being neglected or abused, opening cases that would require home visits and other costs, she said.

"We are talking about a judicious, somewhat limited use of pre-screening collateral contacts," she said.

Other states allow for collateral contacts before cases are screened in, she said. Those states often have limits, such as that the only people to be contacted would be mandatory reporters of abuse or neglect, such as medical providers.

Ms. Wachtel suggested the department convene a stakeholder group to work out a solution.

"There is a fix here," she said. "We respectfully request that the rules be withdrawn to give time for a substantive discussion and consideration."

The department consulted with stakeholders before drafting the rule, Ms. Carpenter said.

Agencies are given 24 hours to gather information from internal sources, such as if the parent has had previous contact with the child welfare system, and to work back with the person referring the case, she said.

In many cases, particularly those involving drug abuse under the CARA provisions, the person making the referral is a medical professional, Ms. Carpenter said. In those cases, the provider can obtain a release of medical records from the parent to demonstrate that the parent has a drug treatment care plan, for example.

Lawmakers pressed the department on what would happen if the person making the referral was not a medical provider.

"How can you get a written release when you're not allowed to make a collateral contact?" Sen. Michael Skindell (D-Lakewood) asked.

The agencies would be able to look at the information they have and to ask follow-up to the person referring the case, Ms. Carpenter said. The rules follow the same procedure as guidance in place now.

"They essentially would be making that decision the same way they do today," she said.

JCARR Chair Sen. Joe Uecker (R-Loveland) asked how many counties are not complying with the guidelines.

Ms. Carpenter said the department wasn't aware of deviation from the guidance until recently.

Rep. Mike Duffey (R-Worthington) said the agency indicated the rule change would have no fiscal effect for the state or for counties, but it could increase the number of cases agencies take on.

The department said the change only codified what was expected to be standard practice, and increases weren't anticipated, Ms. Carpenter said.

"We have a duty as children services agencies to respond to reports that require our attention," she said. "We don't have control over what comes through our front door."

JCARR members caucused for about 45 minutes on the issue, after which ODJFS officials said they would refile the rule pending further discussions with stakeholders.

### **Report Outlines Ohio's Rankings Ahead Of Kasich's Address**

While the state comes in above national averages for the number of residents with health insurance, students enrolled in Pre-K, and structurally sound bridges, it is lagging behind in a number of other areas, a new report shows.

One Ohio Now, a coalition of more than 100 health and human service organizations, labor unions and advocacy groups, released its third annual State of Ohio report on Monday. It shows Ohio's rankings in 16 areas encompassing health, education, the economy and equality.

State Director Gavin DeVore Leonard said it's important that Ohioans have a full picture of how the state is doing before the governor delivers his annual State of the State address on Tuesday.

"Unfortunately, what typically happens with the State of the State is sort of cherry picking the things that make you sound the best, the things you feel like you have the most likelihood of succeeding on in the future, and then often times sort of glazing over the things that are really at the foundation of what's happening, particularly in a place like Ohio, where there is just no getting around it, we are struggling. We're having a hard time keeping up," he said during a Statehouse press event.

Gov. John Kasich and those close to him haven't divulged what his speech will entail, but he told reporters last week that it will be "odd" and "different" than in past years. Being his last SOTS address, he's expected to recap his accomplishments while in office and focus on how he's helped to change state operations during his tenure. (See Gongwer Ohio Report, March 2, 2018)

Responding to the One Ohio Now report, his spokesman, Jon Keeling, touted the impacts the governor's leadership has had on the state over the last seven years.

"Jobs are up. Wages are growing. More Ohioans have health coverage. Support for K-12 education is at record levels. Poverty is the lowest in nearly a decade. We're taking better care of the vulnerable and those who live in the shadows. And Ohioans are wearing our colors with pride in ways this state hasn't seen in a long time," he said.

"The governor has set a new standard for leadership here in Ohio, and if those values are continued the stage is set for even more progress long after he's gone."

In addition to showing where the state ranks nationally, the report also compares last year's stats to this year's. As infant mortality, overdose deaths and poverty got worse in Ohio in 2017, the state has improved in the areas of college tuition, home foreclosures and hunger.

Despite improvements in some categories, it shouldn't be overlooked that Ohio still ranks at the bottom of states, Mr. DeVore Leonard said.

Higher investments in underperforming areas, such as K-12 and programs combatting hunger could save the state billions of dollars in the long term because Ohioans would be better off, he said.

Especially in K-12, where spending on an inflationary basis has been stagnant since 2002, it's "hard to be a recipe for success," he said.

"We believe that this can be solved and that's actually what the data shows when you look at what's happening around the country," Mr. DeVore Leonard said. "We're nervous that what's happening is that the legislature and the governor are essentially ignoring what the data tells us about how to move our state. They're ignoring what the data tells us about how we should actually get fit and get strong here in Ohio."

To find the funding to make needed investments, he suggested the state repeal a controversial small business tax cut and increase income tax rates for the state's wealthiest.

Although Gov. Kasich has been a champion of eliminating personal income taxes, Mr. DeVore Leonard said a recent softening of his policy stances gives advocates hope that he could be swayed by the data in the report.

"Over the past several weeks and the last few years we've seen that the governor has shown a willingness to reconsider when the facts are just too clear to overcome," he said, citing the governor's support of Medicaid expansion and gun policy proposals.

Mr. DeVore Leonard was joined at the rollout of the report by Trina Payne, executive director of the Ross County Community Action Commission, small business owner Dan Heck, and Vincent Johns Jr. with Faith in Public Life.

Ms. Payne said she's most concerned about the rise in drug overdose deaths in Appalachia - something One Ohio Now tracked for the first time this year.

"Data shows that we must invest in our future as a state to ensure that these numbers decrease and families and communities are given resources to be successful," she said.

### **Lawmaker Looks To Crack Down On Theft In Office**

Public officials who get caught with their hands in the cookie jar would soon face steeper penalties under recently introduced legislation.

The proposal (SB 268) sponsored by Sen. Steve Wilson (R-Maineville) would establish first- and second-degree felony offenses for theft in office.



Sen. Wilson

Under current law, theft in office of any amount is limited to a third-degree felony that carries a maximum sentence of three years in prison.

The proposal would change the law to mirror existing penalties for theft. A theft in office of between \$150,000 and \$750,000 would result in a second-degree felony charge that carries a maximum sentence of up to eight years in prison.

Sen. Wilson said the legislation came about after conversations with State Auditor Dave Yost.

"We have a different set of standards for theft when it is someone in office, and in my estimation it shouldn't be," he said in an interview.

A theft of more than \$750,000 would result in a first-degree felony charge, making the offender eligible for a maximum prison sentence of 11 years.

In addition, the measure would allow courts to include the cost of a forensic audit in a restitution order when the victim is a public entity.

Rep. Derek Merrin (R-Maumee) has introduced legislation (HB 391) to include the cost of accounting done to determine the extent of an economic loss for restitution purposes. It was recently amended to limit the amount of restitution to be granted for accounting or auditing costs to be reasonable and not exceed the value of the property stolen or damaged.

Sen. Wilson said he would be open to limiting the auditing costs that can be recouped, but wants to ensure that the public is made whole.

"I am open to that but my main concern is that the public not pay and the person who is audited and found guilty has to pay the costs," he said.

Sen. Wilson believes the measure will be well received in the legislature.

"I think it's so logical it will pass unanimously," he said.

Rep. Robert Cupp (R-Lima) is expected to introduce companion legislation in the lower chamber.

The proposal would also bar those convicted of theft in office from serving in a position of public trust.

"Theft in office is a severe crime that warrants an equally severe punishment," Auditor Yost said in a statement.

### **Opioid Prescriptions Fall For Fifth Straight Year, Pharmacy Board Reports**

Doctors in Ohio prescribed fewer opioids in 2017, continuing an ongoing trend, according to data released Monday by the State Board of Pharmacy.

It was the fifth year in a row the number of opioid prescriptions reported to the state's Ohio Automated Rx Reporting System fell.

There were 568 million opioid doses dispensed to Ohio patients in 2017, the report found, down from 631 million in 2016 and 28.4% from an all-time high of 793 million in 2012.

There were 9.3 million total prescriptions dispensed, down from 10.1 million in 2016 and down from a high of 12.6 million in 2012.

"Ohio has one of the most comprehensive and aggressive approaches in the country to tackling the opioid epidemic," Pharmacy Board Executive Director Steven W. Schierholt said in a statement. "Through improvements to OARRS, new prescribing rules and guidelines, shuttering pill mills and aggressive regulatory action against unscrupulous prescribers, the state is making considerable progress in reducing the supply of prescription opioids and other controlled substances that can be abused or diverted."

The OARRS system saw more than 88 million patient reports requested, along with an 88% decrease in the number of people engaged on doctor shopping, the board reported.

"It is widely accepted that prescription opioid abuse often progresses to the use of heroin and other illicit drugs. That is why Ohio's efforts to reduce exposure to prescription opioids are essential to combatting this public health crisis," said Tracy Plouck, director of the Ohio Department of Mental Health and Addiction Services.

The report also found a decrease in the number of prescribers and patients receiving opioid prescriptions. The patient total dropped to just below 2 million, after topping 3 million in 2012. The number of prescribers also fell to just over 55,100, from a high of nearly 66,650 in 2012.

The number of benzodiazepines dispensed to patients also fell, dropping to 233 million solid doses from 254 million in 2016 and 297 million in 2012.

The report also tracked the number of opioid doses prescribed for acute pain, a recent point of emphasis for the state, which has limited the supply doctors can prescribe.

The number of doses for acute pain fell to just under 17 million in 2017, from a high of 31.2 million in 2012. The average prescription also fell from 8.37 days to 7.1 days.

County-level data is also available from the Board of Pharmacy.

The Ohio State Medical Association said doctors have been working to reduce the number of opioid painkillers given to patients.

"Ohio physicians for this entire decade have dedicated themselves to being part of the solution to the opioid epidemic which has gripped our state and we're seeing the positive effects of that commitment," OSMA spokesman Reggie Fields said in a statement. "Through better pain management treatment efforts and clearer state rules and guidelines, physicians are better equipped to make appropriate decisions when it is necessary to prescribe an opioid."

The OSMA pointed to its Smart Rx program, designed to educate prescribers about the safe use of opioids.

"Still, more work needs to be done to reduce the number of opioids dispensed and Ohio physicians remain committed to providing high-quality medical care that is safe and in the best interest of patients," he said.

#### **DeWine Sues Monsanto, Crew SC Operator/Investor And MLS**

Attorney General Mike DeWine on Monday announced the filing of two lawsuits - one against a multinational agrochemical company and another designed to halt the possible move of the Columbus Crew.

Filed in Hamilton County Common Pleas Court, Mr. DeWine accuses Monsanto of producing and selling polychlorinated biphenyls from 1929 to 1977 despite knowing the risk the chemical compound posed to humans.

"Ohioans deserve to enjoy their natural resources without contamination from these toxic chemicals, and we believe Monsanto should be held responsible for the damage it caused," the gubernatorial candidate said in a statement. "Our goal in taking this action is to protect Ohio, its citizens, and its natural resources."

The company did not respond to a request for comment on the lawsuit by publication time.

PCBs were used in paints, inks, caulks, sealants, lubricants, electrical equipment and carbonless copy paper, according to the lawsuit.

The chemical compound builds up in living things and contaminates the food chain. In humans, PCBs are associated with cancer, skin and eye disorders, reduced birth weight and liver damage.

The contamination has also been found in fish, soil, plants and the air, the lawsuit alleged.

Despite learning of the toxicity of the chemical in the 1930, the company continued to use the product, according to the lawsuit, which alleges Monsanto was negligent and created a public nuisance through its manufacture, distribution and sale of PCBs.

The lawsuit seeks compensation and damages to investigate and remove PCBs from the state's natural resources.

**Crew Lawsuit:** Mr. DeWine also filed a lawsuit against Precourt Sports Ventures and Major League Soccer to stave off the soccer club's move to Austin.

The lawsuit is based on the "the Art Modell law," which states that an Ohio professional sports team that uses a "tax-supported facility" and receives financial assistance from the state or a political subdivision cannot relocate without an agreement with the political subdivision. It also must give the political subdivision or any group of individuals who reside in the area an opportunity to buy the team.

Among the allegations in the lawsuit is that the franchise accepted \$5 million in state funds for improvements to parking facilities, the land on which its home stadium sits is exempt from property taxes and the land is leased at below-market rate.

"Loyal Crew fans in Columbus have invested their time and loyalty in this team, and they have allowed the Crew SC to capitalize from financial incentives paid for by their tax dollars. I am left with no other choice than to file this suit to ensure our laws are followed," Mr. DeWine said.

The franchise did not return a call seeking comment by publication time.

AG DeWine was joined in the lawsuit by the city of Columbus.

"Just as importantly, the team plays in a taxpayer-supported facility, and Precourt Sports Ventures and Major League Soccer have accepted financial assistance from the state of Ohio and the City of Columbus. State law provides us with this protection," Mayor Andrew Ginther said.

The lawsuit, filed in Franklin County Common Pleas Court, was the brainchild of Rep. Mike Duffey (R-Worthington). (See Gongwer Ohio Report, December 6, 2017)

"I am very pleased that our state's top law enforcement officer is vigorously enforcing longstanding Ohio law," he said in a statement. "The Crew SC is our team. Our town. Neither the MLS or Precourt Sports Ventures can operate above Ohio law."

### **Planned Updates To Give Farmers New Tool In Curbing Phosphorus Runoff**

Upcoming improvements to a key tool could provide farmers with more real-time, actionable data on phosphorus runoff coming from their farms.

Called the Ohio Phosphorus Risk Index, the resource is facilitated by the U.S. Department of Agriculture and is soon slated for a host of upgrades that farmers and environmental groups in Ohio say will provide one more asset toward curbing phosphorous runoff.

"The idea is you'll put in real actual data and so you will get really specific information then on how to make use of that data," Ohio Farm Bureau spokesman Joe Cornely said in an interview. "And that's crucial because every farm is different - the soil type, the management practices, the type of nutrients."

The tool is aimed at assisting farmers in gauging their risk for phosphorus runoff. That runoff can degrade surface water quality and contributed to harmful algal blooms.

"Providing farmers with tools to be more efficient and environmentally conscious will help their businesses and their watershed," said Peter Bucher, water resources director for the Ohio Environmental Council. "Further identifying what works best at reducing nutrient runoff will allow more farmers to implement the appropriate practices for their property."

The new index is years in the making and is thanks to a project led by Elizabeth Dayton, a researcher in Ohio State University's College of Food, Agricultural and Environmental Sciences. The project was funded through a \$1 million USDA Conservation Innovation Grant and \$1 million in matching donations from Ohio farmer groups.

"The index provides a long-term, average estimate of field-scale phosphorus loss based on farmer specific inputs," Ms. Dayton said. "It gives farmers the ability to compare crop management scenarios and evaluate changes in phosphorus runoff, allowing them to prioritize time and resources when making management decisions."

The tool also helps put Ohio's goal to reduce phosphorus levels in Lake Erie by 40% by 2025 within reach, Ms. Dayton said. (See Gongwer Ohio Report, February 13, 2017)

"The index quantifies how voluntary changes in agricultural practices contribute to achieving target phosphorus runoff reduction goals," she added. "If you multiply that by the millions of crop acres in Ohio, the 40% reduction target appears achievable."

Mr. Cornely said solving the issue of phosphorus levels will "take a whole toolbox."

"And this is one more tool to go in that box," he said. "So when you look at this as it's employed in conjunction with other tools - some that exist, some still being in development - this is one good piece of that arsenal we need to fix the problem."

After harmful algal bloom activity in 2017 tied the third worst season on record, the United States Environmental Protection Agency is moving to reconsider whether Lake Erie's western basin should be classified as impaired. (See Gongwer Ohio Report, January 22, 2018)

The Ohio Environmental Protection Agency has touted record spending on water quality projects in 2017, although advocates said more resources are needed. (See Gongwer Ohio Report, December 27, 2017)

### **House District 83: Former Nurse, Business Leader Face Off In GOP Primary**

Republican contenders for the 83<sup>rd</sup> House District seat each say they can bring a unique perspective to the General Assembly thanks to their respective expertise in the medical and business fields.

Cheryl Buckland, a member of the Ohio Republican Party's State Central and Executive Committee, and Jon Cross, CEO of the Hardin County Chamber and Business Alliance, are vying to succeed Rep. Robert Sprague (R-Findlay), who is running for state treasurer.

Ms. Buckland, 63, was appointed to the ORP's leadership committee in 2013 and has been elected twice since then. A self-described "non-traditional candidate," she's spent four decades working at skilled nursing facilities, teaching nursing students and operating her own extended care facility.

"We have not had a nurse in the General Assembly since 2010," Ms. Buckland said. "With all due respect, we have a lot of people making healthcare decisions without a healthcare background.... I feel I can be a voice for every healthcare discipline."

Mr. Cross, 38, has a background in commercial real estate. He's held the top job at the Hardin County chamber since 2014 and before that spent several stints dabbling in politics in Kansas, California and Texas. In addition to some northeast Ohio campaigns, he also spent a two-year span as an advance man for then-California Gov. Arnold Schwarzenegger.

It's his current role, however, that he says gives him an up close look at Ohio's competitiveness with other states and places him on the front lines of drawing and keeping businesses in the Buckeye State.

"Every day as an economic development director, I'm responsible for helping to attract new businesses to our community and our region and helping existing companies with their current demands," Mr. Cross said. "So I think I bring a unique perspective to understanding what it takes to attract a business to Ohio or keep a business open and successful in Ohio."

When it comes to the forthcoming race for House speaker shaping up between Rep. Ryan Smith (R-Bidwell) and Rep. Larry Householder (R-Glenford), both candidates declined to publicly weigh in at this point.

"Right now that's my focus: the primary," Ms. Buckland said. "I know both the gentlemen and I'm happy to make a declaration of support when that's necessary."

And although he said he's met with both speaker candidates, Mr. Cross echoed that sentiment. "My philosophy has been I have to win my race first," he said.

But there are plenty of other areas in which the candidates remain at odds. Mr. Cross in particular has questioned whether his opponent shares true conservative principles.

"I'm a proud Republican who supports our president," Mr. Cross said. "I'm a strong pro-life advocate. I will do anything I can to help save and protect human life. I don't believe my opponent is."

Ms. Buckland denied any claim that she doesn't support life. Still, she said her medical background has given her the ability to emotionally detach from the issue.

"As a health professional I've been trained to put my personal feelings aside and look at what is in the best interest of the patient," Ms. Buckland said. "When we look at issues that create such an emotional response in people what I can do is come to the table and get pragmatic answers. I support life, I respect death but I'm also very pragmatic and an objective thinker."

Although she supports life in healthcare and abortion-related matters, she also questioned whether politicians have inserted themselves too far into the patient-doctor relationship.

She lists her priorities if elected as advocating for farmers, steering health policy and supporting efforts to curb the opioid epidemic - an issue she saw firsthand through the addiction of her grandson. She described herself as an "out-of-the-box thinker" who can bring a new perspective to the drug fight.

"I know what I know and what I know I know very well but I'm not an expert in everything," Ms. Buckland said. "I would like to be a voice when we look at our

entitlement programs - not unlike the drug crisis - and say are we spending the right dollars in the right places?"

She and her husband sold their extended care facility in 2008, but she said the experience running a business will give her valuable insight to carry into the Statehouse. She said her world travel would also be an asset - including stays in Africa, El Salvador, Russia as well as time spent delivering Polio vaccines in Portugal.

Mr. Cross said his desire to tackle issues from the business perspective easily ties into other pressing challenges facing the state, including workforce development, educational attainment, opioid addiction and adequately funding local communities.

"My largest overarching campaign platform is to make Ohio and the 83<sup>rd</sup> District safer, stronger and open for business," he said. "How do we get better and how do we compete and how do we make sure policies are not driving people, business, education out of the state?"

His experience across the country, he said, showed him a new perspective on where Ohio stands in business friendliness compared to other states. He wants to be a voice for businesses large and small and is a strong defender of the 2<sup>nd</sup> Amendment, he said.

"We want to make sure rural America, rural Ohio, where you have large corporations to family farms, that perspective is brought into the conversation and policy decisions," Mr. Cross said.

Ms. Buckland and her husband, Larry, have seven stepchildren, 15 grandchildren and 15 great-grandchildren. Among her talents, she lists flamenco and tap dancing.

Mr. Cross, when he's not eating pizza and burgers on the campaign trail, enjoys spending time with his wife, Christina, and playing sports with his two sons, ages 3 and 7.

The winner of the Republican nomination will likely face Democrat Ashley Philipp of McComb who is running unopposed in the primary.

**Subscribers Note:** This story is part of a series focusing on key primary races for Ohio legislative seats. See Gongwer's Election Page for more information on 2018 contests, including our Key Races.

### **Rover, OEPA Clash Over Landslides, Detected Chemical Traces**

The Ohio Environmental Protection Agency and Rover Pipeline builders continue to lock horns - this time engaging in a contentious back-and-forth over several land slips posing "serious threat to environmental resources."

The OEPA is also requesting new tests after the presence of a manufactured chemical, tetrachloroethene, was found in some drilling returns in Stark County.

The two issues are the latest battle grounds in the ongoing dispute between the two entities - which is simultaneously playing out in an ongoing court case in Stark County. (See Gongwer Ohio Report, February 5, 2018)

The landslip issue came to the forefront last month when Rover Pipeline LLC requested the Federal Energy Regulatory Commission approve temporary workspace for it to repair 28 landslips in Ohio and West Virginia.

But the OEPA, in a subsequent missive to FERC said the company's online filing was the first notice the agency received of the situation and blasted the company for failing to adequately notify the state.

"Ohio EPA is concerned that Rover and FERC did not immediately bring to our attention what Rover now describes as 'a serious threat to sensitive environmental resources,'" OEPA wrote. "Instead of trying to work around Ohio, we again call on Rover to be forthright and provide us with information so we can ensure the environment and citizens are protected."

Rover, meanwhile, argues the state is attempting to besmirch the company in order to gain more leverage in Ohio's ongoing lawsuit. And it accuses state regulators of not fully reading the company's filings in its "haste to cast aspersions."

"Ohio EPA's letter is the latest in a string of baseless claims regarding Rover that attempt to denigrate Rover to advance its own litigation position," Rover's response reads. "Notwithstanding that Ohio EPA does not have jurisdiction in this matter, Rover, on a voluntary basis, has cooperated with Ohio EPA regarding all of its inquiries irrespective of jurisdiction, including on potential impacts from Rover's construction activities."

The OEPA has accused the company of claiming the state has no role in protecting its own environment - an idea the agency called "absurd."

The agency wrote that it "absolutely" expects "to be informed of these troubling threats" and involved in "permitting of any potential impacts to streams and wetlands."

"Moreover, where impacts have occurred, Rover needs to clearly gain our approval of actions to minimize impacts and repair the damage they have done," OEPA added.

The ongoing tiff over those land slips is just one of the conflicts the parties are engaged in. Another dispute arising in recent week centers on the presence of tetrachloroethene or PCE in some drilling fluid returns along the Tuscarawas River.

PCE is a liquid chemical that in high levels is thought to headaches, dizziness, unconsciousness and other effects and it is considered by the government as a potential carcinogen, according to the Ohio Department of Health.

The chemical levels detected in Rover returns registered below the U.S. Environmental Protection Agency's regional screening risk level for direct contact, according to the OEPA, but levels clocked in above the screening threshold of soil leaching to groundwater.

As a result, OEPA asked federal regulators to force Rover to conduct additional sampling along with a separate sampling of drilling fluid source water in an effort to pinpoint the PCE's point of origin.

"These additional samples should be taken immediately and the results submitted to our attention for further evaluation," OEPA wrote.

Rover, in turn, argues that PCE is a "prominent contaminant in the environment" and that Ohio has reported multiple instances of detections in the environment in circumstances not affiliated with the project. The company characterized the levels were "minor and non-hazardous."

"Ohio EPA has documented impacts of PCE contamination in the waters of the state and engaged in several initiatives to achieve attainment," Rover said. "Accordingly, Ohio EPA's new-found concerns are as spurious as they are disingenuous."

#### **New Member Profile: Rep. McClain Follows In Father's Footsteps**

Rep. McClain has worked in business and currently serves as director of finance and customer service for Doc Investments LLC, an online precious metals retailer. The metals retailer was designed to emphasize a low-cost retail model.

"I'm pretty experienced with the changing of what the business market looks like with online retail and some of the opportunities that go along with that," he said.

As state representative, he hopes to focus on policies that will help build small businesses.

Rep. McClain said another important focus for him is on policies that help families. Rep. McClain and his wife have been married for more than 10 years and have three children, ages 2, 4 and 8.

"I'm about Ohio families," he said. "I value the family structure greatly and what that does in setting kids up, and Ohio up, our communities up for greatness."

Promoting families can help communities deal with issues and help each other, he said.

"I want to be an advocate for families taking care of each other, being good stewards of our children and being able to foster environments where people have the resources they need to find the help that they need in their own communities and foster a culture of people helping people," he said.

Rep. McClain said he spends a lot of his time outside of work with his children and family as well as remodeling his house.

He holds a bachelor's degree from Bluffton University and a Master of Business Administration from the University of Findlay.

At Bluffton, Rep. McClain was on the baseball team, playing several positions including shortstop, outfield and pitcher. One summer he traveled Europe with Athletes in Action, a ministry of Campus Crusade for Christ. The team played clubs in France, Germany and the Czech Republic, while also doing ministry activities with children and at camps.

"It was almost a barnstorming tour to spread baseball in Europe," he said.

Although he's familiar with the work of the House after seeing his father's experience, Rep. McClain said he hopes to prove himself and find ways to contribute, he said.

"The hat's on my head now and I'm moving forward to do everything I can to be responsive," he said.

#### **Politics Notebook: Buckeye Institute Highlights Capital Budget 'Pork'; Taylor Picks Up Endorsement; Schiavoni Releases New Ad; Balderson Touts War Chest**

The Buckeye Institute on Monday unveiled its Top 10 Worst Capital Budget Requests of 2018.

All told, the projects highlighted by the Buckeye Institute total more than \$18 million, according to the report.

Among the projects singled out is \$4 million for a Major League Soccer stadium in Cincinnati, \$2.5 million to expand the Cleveland Museum of Natural History and \$5 million for the COSI Connection Corridor.

"If these, and other pork projects in the budget, were funded using local or private dollars, as they should be, Ohio could have at least \$85 million more that it could spend on pressing state priorities, save, or better yet, return to taxpayers," Greg R. Lawson, research fellow at Institute, said in a statement.

Mr. Lawson also lamented the lack of funding for strengthening the state's physical and democratic infrastructure.

"Policymakers should do more to heed our call to focus the capital budget on strengthening Ohio's physical and democratic infrastructure and move away from projects of predominately local interest," he said. "Simply put, it is hard to see how it benefits someone in Youngstown for Cincinnati to get a soccer stadium or how people in Cleveland benefit from renovations to COSI."

**Taylor Endorsement:** Lt. Gov. Mary Taylor on Monday picked up an endorsement in her gubernatorial bid in the form of U.S. Sen. Steve Daines (R-Mont.).

In announcing his endorsement, Mr. Daines said he has known Ms. Taylor's running mate, Nathan Estruth, for many years.

"Lt. Governor Mary Taylor is a conservative who has and will continue to challenge the status quo establishment in Ohio. It is important to elect leaders in states across the country - and especially in the swing state of Ohio - who will fight for a bold conservative agenda alongside the people's representatives in Washington," he said in a statement.

"We need more private sector experience and principled conservatives to tame the over-reach of government at the federal and state levels, and the Mary Taylor/Nathan Estruth ticket are the only ones in either party who bring that for the people of Ohio."

Added Ms. Taylor in a statement: "Senator Daines' support today and over the next 68 days adds to our growing momentum as conservatives across Ohio and the country rally around my campaign as the true conservative in this race."

**New Ad:** Sen. Joe Schiavoni (D-Boardman) is out with a new ad in which he highlights his desire to create opportunities for future generations.

The 30-second spot, "For Them," features Sen. Schiavoni's family, including his two children.

"As a parent, everything you do is for them. The simple lessons, the big decisions, you want them to succeed," he says in the ad. "But you worry - what opportunities will be there for them?"

**Balderson Warchest:** The congressional campaign of Sen. Troy Balderson on Monday announced that it has raised \$300,000 in the eight weeks since the Zanesville Republican officially entered the race.

"This campaign has had non-stop momentum since day one, and I could not be more grateful to the many contributors of this effort," he said in a statement. "So many people from my Senate District and throughout Central Ohio have asked to be a part of our campaign because they know that my conservative record makes me the best candidate to help fix a broken Washington."

#### **Supplemental Agency Calendar**

**Thursday, March 15**

Criminal Sentencing Commission, 31st Fl., 77 S. High St., Columbus, 10 a.m.

#### **Supplemental Event Planner**

**Tuesday, March 6**

Sen. Rob McColley (R-Napoleon) fundraiser, Due Amici, 67 E. Gay Street, Columbus, 11:30 a.m.,  
(Sponsor: \$1,000 | Host: \$500 | Guest: \$350 to Citizens for McColley)

**Wednesday, March 7**

Ohioans to Stop Execution news conference on clemency hearing, Ladies Gallery, Statehouse,  
Columbus, 10 a.m.

**Monday, March 12**

Sen. Steve Wilson (R-Maineville) fundraiser, Queen City Club, 331 E. Fourth Street, Cincinnati, 5  
p.m., (Host: \$5,000 | Sponsor: \$2,500 | Supporter: \$1,000 | Attendee: \$500 to Steve Wilson for  
Ohio)

**Tuesday, March 13**

Rep. Anne Gonzales (R-Westerville) fundraiser, The Keep, 50 W. Broad Street, Columbus, 4:30  
p.m., (Sponsor: \$1,000 | Host: \$500 | Guest: \$350 to Citizens for Anne Gonzales)

Sen. Stephanie Kunze (R-Hilliard) & Rep. Mike Duffey (R-Worthington) fundraiser, Pins Mechanical  
Co., 6558 Riverside Drive, Dublin, 5:30 p.m., (Sponsor: \$1,000 | Host: \$500 | Guest: \$250 to  
Citizens for Stephanie Kunze and/or Citizens for Duffey)

**Wednesday, March 14**

Sen. Bill Coley (R-Liberty Twp.) fundraiser, Pub Mahone, 31 E. Gay Street, Columbus, 5 p.m.,  
(Sponsor: \$1,000 | Host: \$500 | Guest: \$350 to Friends of Bill Coley)

**Tuesday, March 20**

Sen. Bob Hackett (R-London) & Sen. Lou Terhar (R-Cincinnati) fundraiser, Athletic Club of  
Columbus - Gold, 136 E. Broad Street, Columbus, 5 p.m., (Sponsor: \$1,000 | Host: \$500 | Guest:  
\$350 to Hackett for Ohio and/or Friends of Lou Terhar)

**Wednesday, March 21**

Sen. President Larry Obhof (R-Medina) fundraiser, Athletic Club of Columbus - Crystal, 136 E.  
Broad Street, Columbus, 7:30 a.m., (Sponsor: \$2,500 | Host: \$1,000 | Guest: \$500 to Citizens for  
Obhof)

**Tuesday, April 10**

Sen. Gayle Manning (R-N. Ridgeville) & Sen. Stephanie Kunze (R-Hilliard) fundraiser, Buckeye  
Bourbon House, 36 E. Gay Street, Columbus, 5 p.m., (Sponsor: \$1,000 | Host: \$500 | Guest: \$350  
to Committee to Elect Gayle Manning and/or Citizens for Stephanie Kunze)

**Wednesday, April 11**

Sen. Bob Peterson (R-Sabina) & Sen. Steve Wilson (R-Maineville) fundraiser, Athletic Club of  
Columbus - Lounge, 136 E. Broad Street, Columbus, 5 p.m., (Sponsor: \$1,000 | Host: \$500 |  
Guest: \$350 to Peterson for Good Government and/or Steve Wilson for Ohio)

**Tuesday, April 17**

Sen. Scott Oelslager (R-N. Canton) & Sen. Frank Hoagland (R-Adena) fundraiser, Athletic Club of Columbus - 136 E. Broad Street, Columbus, 5 p.m., (Checks to Oelslager for Ohio Committee and/or Hoagland for Ohio)

**Wednesday, April 18**

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Ohio University State Government Alumni Luncheon, Athletic Club, 136 E. Broad St., Columbus, 11:30 a.m., (Social: 11:30 am; Luncheon: 12 pm)

Sen. Jay Hottinger (R-Newark) & Sen. Matt Dolan (R-Chagrin Falls) fundraiser, Pins, 141 N. 4th Street, Columbus, 5 p.m., (Sponsor: \$1,000 | Host: \$500 | Guest: \$350 to Citizens for Hottinger and/or Friends of Matt Dolan)

**Tuesday, April 24**

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Rep. Andy Brenner (R-Powell) fundraiser, Athletic Club of Columbus - Parlor A/B, 136 E. Broad Street, Columbus, 11:30 a.m., (Sponsor: \$1,000 | Host: \$500 | Guest: \$350 to Brenner for Ohio)

Sen. Matt Huffman (R-Lima) & Sen. John Eklund (R-Chardon) fundraiser, Pins, 141 N. 4th Street, Columbus, 5 p.m., (Sponsor: \$1,000 | Host: \$500 | Guest: \$350 to Matt Huffman for Ohio and/or Friends of John Eklund)

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Click the  after a bill number to create a saved search and email alert for that bill.

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## Daily Activity Planner for Tuesday, March 6

### Legislative Committees

**Senate Public Utilities** (Committee Record) (Chr. Beagle, B., 466-6247), Finance Hearing Rm., 9:30 a.m.

- Confirmation hearing on governor's appointments of M. Beth Trombold, Public Utilities Commission of Ohio and Gregory Murphy, Power Siting Board

**HB 478** **WIRELESS SERVICES** (Smith, R., LaTourette, S.) To modify the law regarding wireless service and the placement of small cell wireless facilities in the public way. (1st Hearing-Sponsor)

**House Finance** (Committee Record) (Chr. Smith, R., 466-1366), Rm. 313, 10 a.m.

**HB 529** **CAPITAL APPROPRIATIONS** (Ryan, S.) To make capital appropriations and changes to the law governing capital projects and to make reappropriations for the biennium ending June 30, 2020. (3rd Hearing-All testimony-Possible vote)

**HB 508** **OHIO CORPS** (Ryan, S., Reineke, B.) To establish the OhioCorps Pilot Project and to make an appropriation. (4th Hearing-All testimony-Possible vote)

**HB 378** **BROADBAND GRANTS** (Smith, R., Cera, J.) To create the Ohio Broadband Development Grant Program and to make an appropriation. (7th Hearing-All testimony-Possible amendments, substitute & vote)

**House Ways & Means** (Committee Record) (Chr. Schaffer, T., 466-8100), Rm. 121, 10 a.m.

**SB 226** **TAX HOLIDAY** (Bacon, K.) To provide for a permanent three-day sales tax "holiday" each August during which sales of clothing and school supplies are exempt from sales and use tax. (2nd Hearing-Proponent)

**House Agriculture & Rural Development** (Committee Record) (Chr. Hill, B., 644-6014), Rm. 121, 1 p.m.

**HB 501** **VETERINARY TITLES** (LaTourette, S., Huffman, S.) To change professional title of "registered veterinary technician" to "registered veterinary nurse." (1st Hearing-Sponsor)

**HR 298** **ALFALFA PRODUCTS** (Sprague, R., Hill, B.) To recognize the existence of two alfalfa products in light of the recent action of the Ingredient Definition Committee of the Association of American Feed Control Officials. (1st Hearing-Sponsor)

**Senate Finance** (Committee Record) (Chr. Oelslager, S., 466-0626), Finance Hearing Rm., 2:30 p.m.

**SB 266** **CAPITAL APPROPRIATIONS** (Oelslager, S.) To make capital appropriations and changes to the law governing capital projects and to make

reappropriations for the biennium ending June 30, 2020. (3rd Hearing-Opponent)

**SB 225** **BROADBAND GRANTS** (Schiavoni, J., Eklund, J.) To create the Ohio Broadband Development Grant Program and to make an appropriation. (1st Hearing-Sponsor)

**SB 246** **STUDENT REMOVAL** (Lehner, P., Manning, G.) To enact the "SAFE Act" to revise the procedures for emergency removal of a student, to prohibit certain suspensions and expulsions of students in grades pre- kindergarten through three, to require each public school to implement a positive behavior intervention and supports framework in accordance with state standards, and to make an appropriation. (1st Hearing-Sponsor)

**HB 329** **PYRAMID SCHEMES** (Pelanda, D.) To modify the law governing pyramid promotional schemes. (3rd Hearing-Opponent)

House Session (Committee Record), Senate Session (Committee Record) (Chr. Rosenberger, C., 466-3357, Chr. Obhof, L., 466-4900), Fritsche Theater, Otterbein University, 30 S. Grove St., Westerville, 7 p.m.

- Joint convention for the Governor's State of the State address

### Agency Calendar

Small Business Advisory Council, Women's Small Business Accelerator's ThinkSpace, 24 Westerview Dr., Westerville, 10 a.m.

Public Facilities Commission, 35th Fl., 30 E. Broad St., Columbus, 3:30 p.m.

### Event Planner

OhioLINK, Ohio Department of Higher Education discussion on textbook affordability and open educational resources, Otterbein University, Towers Hall, Westerville, 10 a.m.

Sen. Rob McColley (R-Napoleon) fundraiser, Due Amici, 67 E. Gay Street, Columbus, 11:30 a.m., (Sponsor: \$1,000 | Host: \$500 | Guest: \$350 to Citizens for McColley)

Rep. Scott Ryan (R-Granville Township) fundraiser, Oliver's, 26 N. High St., Columbus, 11:30 a.m., (Sponsor: \$1,000; Host: \$500; Chair \$350 to Citizens for Scott Ryan)

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**From:** Capitol Letter

**Sent:** Tuesday, March 6, 2018 6:15 AM

**To:** Kasych, Shawn

**Subject:** Westerville ready to host Gov. John Kasich's final State of the State

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Tuesday, March 6, 2018

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# Capitol Letter

Laura Hancock and Jeremy Pelzer

### Capitol Letter's 2018 State of the State Bingo

Arnold Schwarzenegger	Tell kids not to do drugs	JobsOhio	"89 cents in the rainy-day fund"	"McKees Rocks"
Name-drops musician	"Look"	"God-given potential"	Book/article recommendation	Goes on off-script tangent
Medicaid expansion	"Live a life a little bit bigger than ourselves"		Ohio Turnpike	Shout-out to a Democrat
"Live in the shadows"	References The Hobbit	Standing ovation for Karen Kasich	Self-driving cars	"Folks"
"Two paths"	"The Lord"	Guns	"Son of a mailman"	Mentions Mary Taylor by name

Print out your own bingo sheet for Gov. John Kasich's final State of the State address Tuesday night in Westerville.

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### Rotunda Rumblings

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**Kasich and the rest in Westerville:** A handful of state government events are planned for Gov. John Kasich's hometown Tuesday morning and afternoon, ahead of the Republican's final State of the State address.

Those include a press conference by the insurance industry and Department of Insurance to talk about the need for qualified people to work in the business, and progress made in recent years in recruiting talent. Lt. Gov. Mary Taylor is expected to speak at 3 p.m. at the Small Business Advisory Council's six-hour meeting, and the Department of Natural Resources has two events planned in Delaware County.

= 9 **#SueTheCrew:** Ohio Attorney General DeWine, who is running for gov as a Republican, and the city of Columbus on Monday sued the owner of the Columbus Crew and Major League Soccer, to #SaveTheCrew, which has benefited from tax investment, according to a news release from DeWine's office. Owner Anthony Precourt would like a downtown soccer stadium and since the city and state haven't provided one, he's trying to move the franchise to Austin, Texas.

= 9 **DeWine sues Monsanto:** DeWine also sued Monsanto Co. in Hamilton County Common Pleas Court Monday for producing and selling a toxic chemical associated with cancer, skin and eye disorders, reduced birth weight, liver damage and other health problems, his office announced. DeWine alleges the company sold PCBs, or polychlorinated biphenyls, from 1929 to 1977, despite knowing in the 1930s they were toxic to humans.

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**Serving up pork?** The Buckeye Institute announced a Top 10 Worst Capital Budget Requests of 2018, which total more than \$18 million in spending, much of which it described as pork. The largest offense to the conservative think tank is the proposed \$5 million for the COSI Connection Corridor, a passageway for the Columbus science museum that's going to have retail and restaurant space.

= 9 **Snare Daines:** Lt. Gov. Mary Taylor picked up a gubernatorial endorsement Monday from Republican U.S. Sen. Steve Daines of Montana. If you're wondering why a Montana senator is weighing in on the Ohio governor= 2s race, it's because Daines and Nathan Estruth, Taylor's running mate, worked together at Procter and Gamble and are both involved with the anti-abortion group the Susan B. Anthony List.

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## = 9 **Stories We're Talking About**

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**This is the end:** Gov. John Kasich gives his final State of the State address tonight. Cleveland.com's Seth Richardson looked at what to expect from the speech.

= 9 **Everything's fine:** NRA spokeswoman Jennifer Baker pushed back on former Attorney General Marc Dann's column in cleveland.com about being bought by the gun industry, according to the Associated Press. Baker called it a "desperate attention-seeking ploy by a has-been politician."

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**NRAin't worth it:** The good news is Richard Cordray made the progressive magazine Mother Jones. The bad news is it's because of his past love affair with the NRA. The magazine picked up a video from 2010 (sent out by primary rival Dennis Kucinich) of Cordray saying gun ownership is a God-given right and analyzed why that might not be a good thing for Cordray's 2018 chances.

= 9 **Impressed in the Midwest:** Democratic U.S. Rep. Tim Ryan last month led a group of Silicon Valley venture capitalists on a tour of the industrial Midwest (including Akron and Youngstown) – and as the New York Times' Kevin Roose writes, "By the end of the tour, the coastal elites had caught the heartland bug." Among those joining the tour: memoirist J.D. Vance, "who now seems to magically appear every time the words 'Midwest' and 'manufacturing' are spoken aloud."

= 9 **We've got the ticket:** As we told you in Monday's edition, the Statehouse is considering a bill that would help defray some of the costs of holding large events like the NFL Draft. Capitol Letter's Jeremy Pelzer has more details.

= 9

**The sus-Pence!** Vice President Mike Pence is coming to Cleveland on Friday to tout the GOP tax plan, according to cleveland.com's Sabrina Eaton. Also at the roundtable - hosted by a Donald Trump super PAC - will be U.S. Rep. Jim Renacci, the White House's chosen candidate for the U.S. Senate race.

= 9 **Balderson makes it rain:** GOP State Sen. Troy Balderson is raising a

ton of money in the race to replace Pat Tiberi in Congress, according to Jessica Wehrman of the Columbus Dispatch. Balderson said he was "humbled" by the generosity of the people who've given him \$300,000.

= 9 **Back in my day:** The Ohio legislature is considering a bill that would increase the amount of time teenagers have their learner's permit from 6 months to 12 months, according to Laura Bischoff of the Dayton Daily News.

## = 9 **Five Questions**

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Kristine King Robbins is chief of staff in the president's office at Otterbein University in Westerville. She's been the university's representative to various state agencies coordinating Gov. John Kasich's final State of the State address, when 1,100 legislators, press and members of the public will fill the Fritzsche Theatre on Tuesday night.

= 9 *1. Have you handled a request to use your facilities that has been this large before?*

= 9 "We've had various candidates ask to speak on campus in the past and have hosted them here. But for us this is probably one of the most historic and biggest events we'll host here on campus because Gov. Kasich is from Westerville. And we consider him part of our community."

= 9 *2. Westerville has been grieving over the deaths of city police officers Eric Joering and Anthony Morelli, who were shot while on a call. Is the community prepared to shift gears to host this event?*

= 9 "I grew up in Westerville and my family moved here back in 1967 so I've been in and around the community for years, and I've never been so proud at how our community has come together – from city leaders and local legislators, state officials and neighbors. ...I think that the country has seen the response of the Westerville community. I think this will give us another opportunity to come together to honor our General Assembly and to honor our governor."

= 9 *3. How are you handling security?*

= 9 "We have our own police department, and we work very closely with the city of Westerville. And the state highway patrol is certainly in charge of security at this event."

= 9 4. *Otterbein students are on spring break this week. But will any students to be involved in the State of the State?*

= 9

"We do have a couple of staff in our theater department who have been working closely with the governor's office in making the specific arrangements for the stage and lighting and the sound, and they give opportunities for students to help out behind the scenes... They'll be helping as stage hands and be there in backup if there are needs in terms of technology and lighting and sound."

= 9

5. *Will there be opportunities for students who are hanging out on campus to watch?*

= 9 "We're hosting -- along with the city and the chamber and the Westerville Library and Westerville Schools -- a reception for the General Assembly that evening before the address. And along with that for guests who come (to campus) who don't have tickets, there will be a watch party in the Campus Center, which is our student union."

## = 9 **What's Going On**

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**8:30 a.m. to 5:15 p.m. – PUCO to kick off PowerForward initiative:** The Public Utilities Commission of Ohio is set to begin a six-day "Ratemaking and Regulation" seminar with panel discussions and presentations on the future of Ohio's electric distribution system. *11th floor, 180 E. Broad St.*

= 9 **9 a.m. to 1 p.m. – Education groups to hold legislative conference:** The Buckeye Association of School Administrators, Ohio School Boards Association, Ohio Association of School Business Officials are hosting the event. *Sheraton Columbus at Capitol Square, 75 E. State St.*

= 9

**9:30 a.m. to 10:30 a.m. -- Insurance industry update with Ohio Department of Insurance.** *Westerville Public Library, Meeting Room A,*

126 S. State St. Westerville.

= 9 **10 a.m. – House Finance Committee:** The panel may vote on the capital budget (House Bill 529), as well as legislation to create an “OhioCorps” program (House Bill 508) and set up a \$100 million broadband grant program (House Bill 378). *Room 313, Ohio Statehouse.*

= 9 **10 to 11:30 a.m. – Panel discussion on textbook affordability:** OhioLINK and the Ohio Department of Higher Education are hosting the event. *Towers Hall, Otterbein University, 1 S. Grove St., Westerville.*

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**10 a.m. to 4 p.m. – Small Business Advisory Council.** *Women's Small Business Accelerator? 9s ThinkSpace, 24 Westview Dr., Westerville.*

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**10:30 a.m. – State officials to tout Ohio's mineral resources:** Department of Natural Resources Director Jim Zehringer, Ohio Department of Transportation Director Jerry Wray and JobsOhio Senior Adviser David Mustine are scheduled to highlight Ohio's underground natural resources. *Horace R. Collins Lab, 3307 South Old State Rd., Delaware.*

= 9 **11 a.m. – Rich Cordray's campaign to hold pre-debate press call:** Campaign Manager Michael Halle and other officials with the Democratic gubernatorial candidate's campaign have scheduled a conference call with reporters.

= 9

**Noon – Zack Space to speak at Akron Press Club:** Tickets for the event with the Democratic candidate for state auditor are \$20 for club members, \$25 for non-members, and \$160 for a table of 8. *The Tangier, 532 W. Market St., Akron.*

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**1 to 3:30 p.m. – Governor's Executive Workforce Board.** *The Electrical Trades Center, 947 Goodale Blvd.*

= 9 **2:30 p.m. – Otterbein University to receive Tree City USA designation.** *Otterbein University Campus Center, 100 Home St., Westerville.*

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**7 p.m. – Gov. John Kasich's State of the State address.** *Fritzsche*

Theatre, Otterbein University, 30 S. Grove St., Westerville.

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## = 9 **Straight From The Source**

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"I have made a lot of promises that I will not go into labor until after the #OHSOTS. This should be fun...."

= 9 - Hayley Call-Carducci, who handles social media for the Ohio Department of Job and Family Services, tweeting on Feb. 28. As of Monday, at least, she was making good on her promise not to deliver her baby until after Gov. John Kasich's State of the State address Tuesday night.

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***One of our aims with Capitol Letter is frequent communication with you, the reader. We value your thoughts and suggestions about the newsletter. What do you think of it? What features do you like? What could we do better? Is there a topic you'd like to see us address? And what time would you like to receive the newsletter? We've been sending it at about 6:15 a.m. Would you like it to arrive earlier? We value your feedback and are committed to making Capitol Letter your essential first read of the morning. Email us at [Capitolletter@cleveland.com](mailto:Capitolletter@cleveland.com).***

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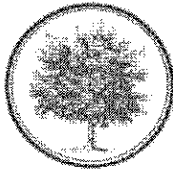
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**From:** The Buckeye Institute  
**Sent:** Tuesday, March 6, 2018 10:52 AM  
**To:** Kasych, Shawn  
**Subject:** The Buckeye Institute: Ohio's 2018 Capital Budget Riddled with Too Many Special Interest Requests

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**FOR IMMEDIATE RELEASE**

March 6, 2018

(614) 224-3255 or [Lisa@BuckeyeInstitute.org](mailto:Lisa@BuckeyeInstitute.org)

### **The Buckeye Institute: Ohio's 2018 Capital Budget Riddled with Too Many Special Interest Requests**

*Greg Lawson Testifies Before Ohio Finance Committee on House Bill 529*

**Columbus, OH --** The Buckeye Institute's Greg R. Lawson testified today (see full text below or **download a PDF**) before the Ohio House Finance Committee on House Bill 529, Ohio's 2018 capital budget.

In opening his testimony, Lawson recognized that in many ways Ohio's capital budget adheres to Buckeye's spending principles, which were outlined in *Principled Spending: Using Ohio's Capital Budget to Benefit Ohioans*. The report "encouraged policymakers to be guided by three spending principles: constrain the growth of government, eliminate

corporate and special interest welfare, and focus on strengthening Ohio's physical and democratic infrastructures."

Although policymakers have allocated money to strengthen Ohio's democratic infrastructure in separate legislation, Lawson noted "the capital budget was not then reduced to maintain spending balance-and it should have been."

Of the capital budget overall, Lawson expressed concern "that this budget, like others before, remains riddled with too many special interest requests, local projects, and some potential boondoggles that veer from providing core government services and infrastructure."

In highlighting the special interest projects, Lawson drew special attention to the 10 that made Buckeye's **Top 10 Worst Capital Budget Requests of 2018**, saying, "We highlight more than \$18 million of taxpayer dollars spent on pork projects that benefit only narrow local interests and not broader statewide needs. And that \$18 million is just the tip of the proverbial iceberg. All of the special interest projects combined pushes that total to at least \$85 million. That is at least \$85 million of pork that could be spent on more pressing priorities, saved, or returned to taxpayers."

Lawson went on to say, "Ultimately, of course, local residents and local taxpayers should have every opportunity to voluntarily choose to fund amphitheaters, performance stages, parks, zoos, and even stadiums out of their own local resources. But Cleveland residents should not be compelled-through state taxes-to pay for the Columbus Zoo, nor should Youngstown residents be made to pay for a soccer venue in Cincinnati."

###

**Interested Party Testimony on House Bill 529  
Before the Ohio House Finance Committee**

**Greg R. Lawson, Research Fellow  
The Buckeye Institute  
March 6, 2018**

Chairman Smith, Vice Chair Ryan, Ranking Member Cera, and members of the Committee, thank you for the opportunity to testify today regarding the Capital Budget.

My name is Greg R. Lawson. I am the research fellow at **The Buckeye Institute**, a free-market think tank here in Columbus that advocates for low-tax, low-regulation policies that remove barriers to prosperity for Ohioans.

On February 5, The Buckeye Institute released its report, *Principled Spending: Using Ohio's Capital Budget to Benefit Ohioans*, which outlined ways to keep Ohio's capital budget focused on principled government spending.[1] Our report encouraged policymakers to be guided by three spending principles: constrain the growth of government, eliminate corporate and special interest welfare, and focus on strengthening Ohio's physical and democratic infrastructures.

In many ways, Ohio's \$2.62 billion budget adheres to these basic principles, but we are concerned that this budget, like others before, remains riddled with too many special interest requests, local projects, and some potential boondoggles that veer from providing core government services and infrastructure.

The Buckeye Institute has just released its Top 10 Worst Capital Budget Requests of 2018,[2] in which we highlight more than \$18 million of taxpayer dollars spent on pork projects that benefit only narrow local interests and not broader state-wide needs. And that \$18 million is just the tip of the proverbial iceberg. All of the special interest projects combined pushes that total to at least \$85 million. That is at least \$85 million of pork that could be spent on more pressing priorities, saved, or returned to taxpayers.

Regrettably, examples of non-essential government spending abound. The \$5 million to build retail and restaurant space at COSI in Columbus-not essential government spending. The \$1 million for orangutan and elephant exhibits at the Columbus Zoo-already subsidized by Franklin County property owners-not essential government spending. The \$800,000 to install splash pads around the state-not essential government spending. And the \$4 million slated for a soccer stadium in Cincinnati-not essential government spending and not likely to live up to the economic hype. As the St. Louis Federal Reserve concluded last year:

Consumers who spend money on sporting events would likely spend the money on other forms of entertainment, which has a similar economic impact. Rather than subsidizing sports stadiums, governments could finance other projects such as infrastructure or education that have the potential to increase productivity and promote economic growth.[3]

Ultimately, of course, local residents and local taxpayers should have every opportunity to voluntarily choose to fund amphitheaters, performance stages, parks, zoos, and even stadiums out of their own local resources. But Cleveland residents should not be compelled-through state taxes-to pay for the Columbus Zoo, nor should Youngstown residents be made to pay for a soccer venue in Cincinnati.

Then there is the \$400,000 appropriation to build several government-owned broadband networks across the state. As I outlined recently in *Broadband "GON" Wrong*,<sup>[4]</sup> private-sector players have already deployed billions of dollars developing state-of-the-art technology to nimbly respond to consumer demands and preferences, while these government-owned networks have proven unable to pay for themselves, leaving taxpayers to pay for networks that few consumers even want to use.

That communities are asking for state money in the capital budget indicates that these networks all too frequently fail to live up to the promises made by government officials, and often lead to further taxpayer subsidies to maintain operations.

Many of the other local projects are not inherently misguided, but insofar as they provide only narrow local benefits and do not strengthen Ohio's physical infrastructure, state policymakers should remove them from the capital budget. Those funds should instead be spent on Ohio's pressing needs, such as building and maintaining water and sewer systems, and state roads.

We are also disappointed that this capital budget will not strengthen the state's democratic infrastructure, including, for example, replacing Ohio's aging voting machines. Such funding appears allocated in separate legislation, but the capital budget was not then reduced to maintain spending balance-and it should have been.

Finally, and perhaps most critically, policymakers must remember that a lack of fiscal restraint, even during good economic times, unwittingly creates unrealistic spending expectations over time. Using the capital budget to fund local projects rather than state priorities will only make it harder for policymakers to curb and manage state spending when tough economic times inevitably arrive.

Today, even as the state budget looks solidly in the black, the danger of recession and fiscal instability still lurks. Recall, for instance, how unforeseen challenges required immediate and multiple adjustments to the last biennial budget due to lower than expected revenues. Prudence cautions against the tempting but non-essential government spending included in this capital budget. For the sake of Ohio taxpayers, such temptation must be resisted.

Thank you and I look forward to answering any questions that the Committee may have at this time.

---

[1] Greg R. Lawson and Quinn Beeson, *Principled Spending: Using Ohio's Capital Budget to Benefit Ohioans*, The Buckeye Institute, February 5, 2018.

[2] **More Than \$18 Million Spent on The Buckeye Institute's Top 10 List of Worst Capital Budget Requests**, The Buckeye Institute press release, March 5, 2018.

[3] Scott A. Wolla, *The Economics of Subsidizing Sports Stadiums*, Federal Reserve Bank of St. Louis, May 2017.

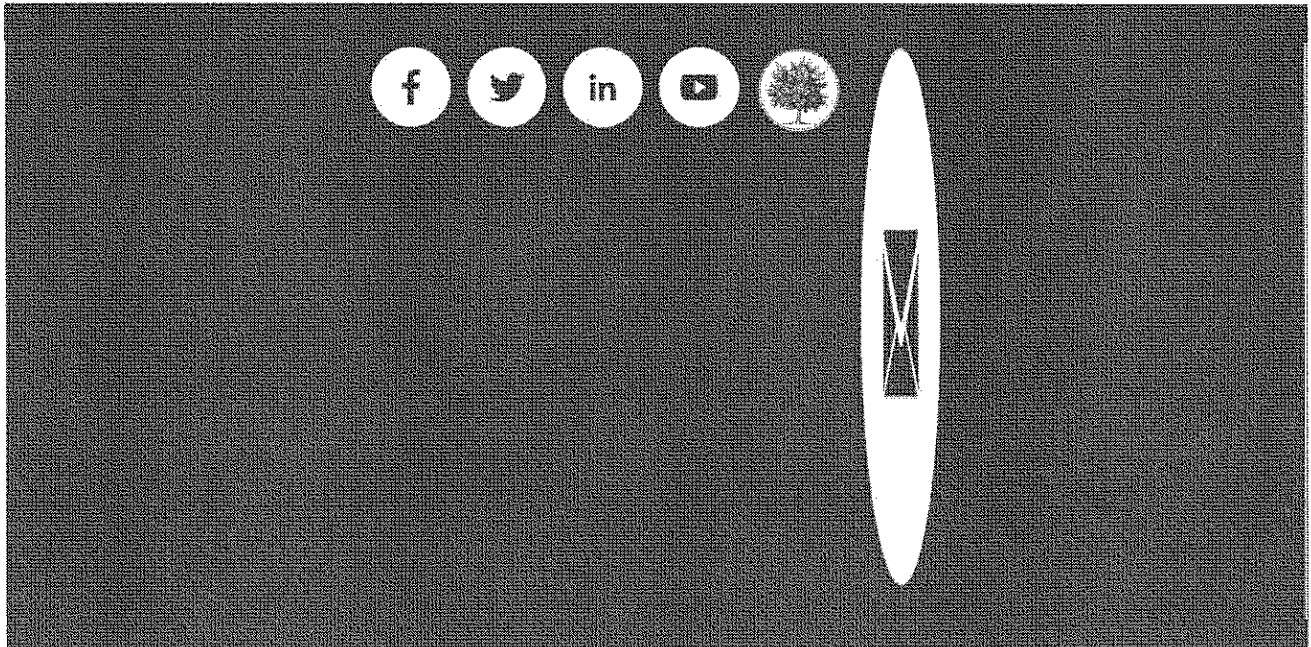
[4] Greg R. Lawson, *Broadband "GON" Wrong: Remembering Why Government-Owned Broadband Networks are Bad for Taxpayers*, The Buckeye Institute, February 14, 2018.

###

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## Online seminar Connections between income and health



### When

Friday, April 6, 2018 from 12:00 PM to 1:00 PM EDT

[Add to Calendar](#)

### Where

**This is an online event.**

Please register to attend this event. Follow the instructions in your confirmation email to sign up for the webinar using the GoToWebinar website.

More than a century of research has found strong connections between income and health. As a group, people with higher incomes live longer and experience better mental and physical health outcomes. Understanding how income influences health can inform policies, programs and resource allocation to improve both the health and economic wellbeing of Ohioans.

From 12 p.m. to 1 p.m. on Friday, April 6, the Health Policy Institute of Ohio will host a webinar to share highlights from a recent publication, **Connections between Income Health**. A panel of experts will discuss current state-level initiatives to improve incomes and employment opportunities for Ohioans.

Speakers include:

- **Michael Evans**, Project Manager, Ohio Governor's Office of Workforce Transformation
- **Greg R. Lawson**, Research Fellow, The Buckeye Institute
- **Zach Reaf**, Health Policy Analyst, Health Policy Institute of Ohio

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• **Kalitha Williams**, Policy Liaison, Policy Matters Ohio

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*After you register for the event you will receive an email confirmation with the webinar link and login credentials. You will need to sign up for the webinar using the GoToWebinar website to be able to view the webinar on 4/6/2018. If you have questions or need assistance, please contact Alana Clark-Kirk, [aclarkkirk@hpio.net](mailto:aclarkkirk@hpio.net).*

**Sincerely,**

Alana Clark-Kirk  
Health Policy Institute of Ohio  
[aclarkkirk@healthpolicyohio.org](mailto:aclarkkirk@healthpolicyohio.org)  
614-545-0755

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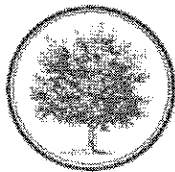


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March 7, 2018

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**The Buckeye Institute: Ohio's Constitution is a  
Foundational Document, Not a List of Policy Choices**

*Greg Lawson Testifies Before Ohio House Government  
Accountability and Oversight Committee on House Bill 506*

**Columbus, OH --** The Buckeye Institute's Greg R. Lawson testified today (see full text below or [download a PDF](#)) before the Ohio House Government Accountability and Oversight Committee on House Bill 506.

In his testimony, Lawson drew attention to a growing problem in Ohio -- special interests pursuing constitutional amendment referendums in order to circumvent the legislature or force the legislature to consider legislation that they might not otherwise take up. In this

instance, House Bill 506, which was introduced to head off a referendum governing high volume dog breeders.

Of this practice Lawson said, "Bills like this one [House Bill 506] have lately percolated through the General Assembly as strategic alternatives to political maneuvers orchestrated by well-funded special interests that would otherwise seek to amend the Ohio Constitution and encumber our most fundamental governing document with countless rules and regulations."

Noting that Ohio's Constitution is a "foundational document" Lawson said of this strategy by special interests "The...strategy is clever and remarkably effective, but it must be resisted. The General Assembly must not be muscled by special interest groups threatening unnecessary amendments to the state constitution unless their legislative demands are met. Such threats aim a dagger at the heart of our constitutional form of self-government."

###

**Interested Party Testimony on House Bill 506  
Before the Ohio House Government Accountability and Oversight Committee**

**Greg R. Lawson, Research Fellow  
The Buckeye Institute  
March 7, 2018**

Chairman Blessing, Vice Chair Reineke, Ranking Member Clyde, and members of the Committee, thank you for the opportunity to testify today regarding House Bill 506 and the Ohio Constitution.

My name is Greg R. Lawson. I am the research fellow at **The Buckeye Institute**, a free-market think tank here in Columbus that advocates for low-tax, low-regulation policies that remove barriers to prosperity for Ohioans.

House Bill 506 would codify new rules for dog breeders. Fair enough. However, I am not here today to testify about dog breeders or their rules. I am here instead because House Bill 506 is before this Committee as part of a troubling new breed of preemptive legislation, a trend propounded by various special interest groups -- in this case, dog breeders -- designed to force constitutional amendments or preemptive laws that the legislature might not otherwise take up. The sponsor of House Bill 506 acknowledged as much several weeks ago.

Dog breeders and the merits of this particular legislation aside, bills like this one have lately percolated through the General Assembly as strategic alternatives to political maneuvers orchestrated by well-funded special interests that would otherwise seek to amend the Ohio Constitution and encumber our most fundamental governing document with countless rules and regulations. Thus, in this instance, House Bill 506 comes before the Committee so that Ohio's Constitution will not include an amendment for dog breeders.

The special interests' strategy is clever and remarkably effective, but it must be resisted. The General Assembly must not be muscled by special interest groups threatening unnecessary amendments to the state constitution unless their legislative demands are met. Such threats aim a dagger at the heart of our constitutional form of self-government.

The special interests argue that their strong-arm tactics -- such as paying constituents for their signatures to put constitutional amendments on the ballot -- are necessary in order to compel the General Assembly to act in the interest of the people. The asserted ends sound laudable, but the means are not.

First, beneath the altruistic rhetoric claiming to defend the "will of the people" lies the more self-serving purpose of simply bending the law -- by preemptive statute like House Bill 506 or constitutional amendment, they do not care which -- to protect their own special interest.

Second, as the cornerstone of our self-rule, the Ohio Constitution frames the very structure of our state government, and that structure will not stand under the constant pressures of change and amendment. Constitutional amendments therefore ought to be rare events and taken up only for the most significant purposes, not as a more permanent alternative to the Revised or Administrative codes. The state constitution is a foundational document, not a list of policy choices or a rule book for dog breeders.

If, as the special interests claim, the General Assembly fails to accomplish or defend the will of the people, our political system provides a remedy to hold the assembly accountable -- elections. One hardly need remind this Committee that legislators who do not listen to their constituents and who do not pursue policies and legislation consistent with their constituents' concerns can and should be voted from office. Thus, statutes and elections are and ought to be the people's recourse -- not the bombastic threats of constitutional amendments or else.

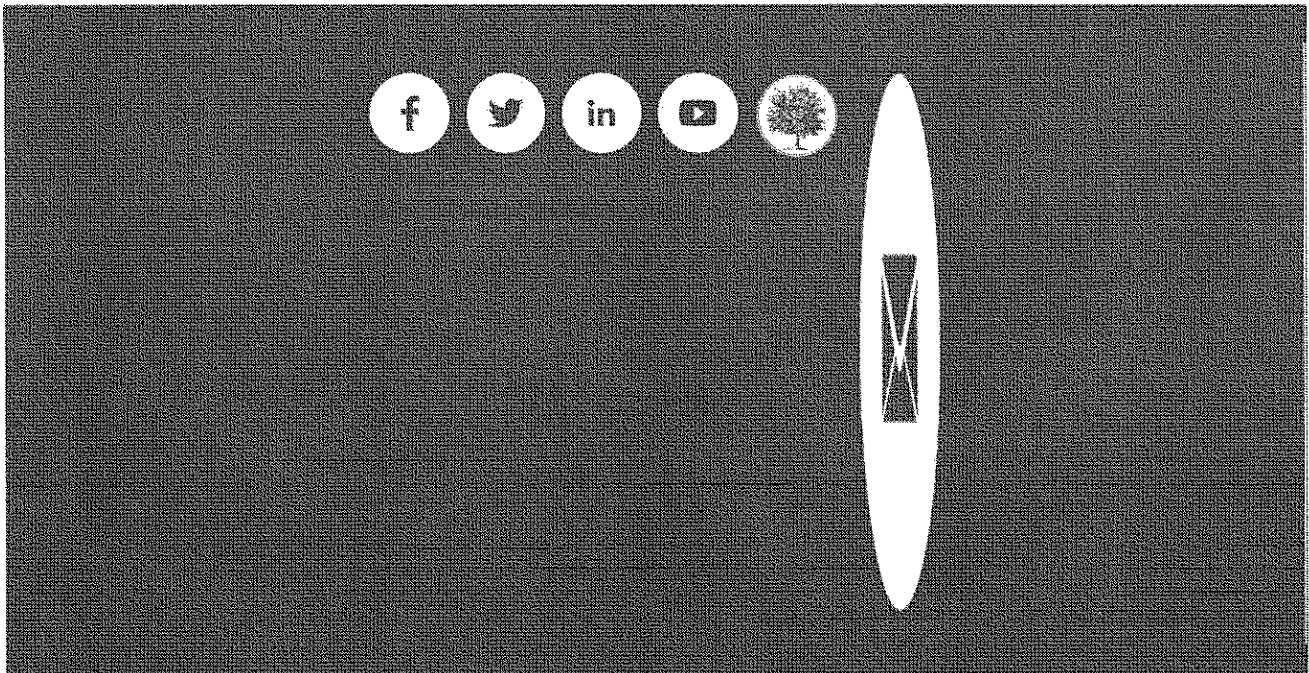
Thank you for your consideration. I would be happy to answer any questions that the Committee might have at this time.

= A

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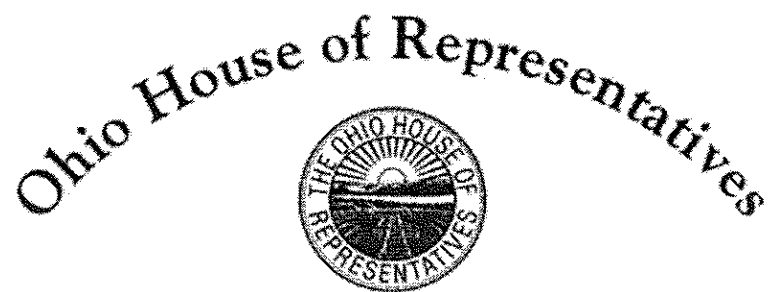
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**To:** Paretti, Dominic  
**Subject:** Deadline Tomorrow: Request for Co-Sponsorship – Paid Family and Medical Leave

**REMINDER-DEADLINE TO CO SPONSOR IS TOMORROW AT 4PM**



**MEMORANDUM**

**TO:** All House Members  
**FROM:** Representative Janine Boyd and Representative Kristin Boggs  
**DATE:** February 5, 2018  
**RE:** Request for Co-Sponsorship – Paid Family and Medical Leave

---

We will soon introduce legislation to create the Ohio Family and Medical Leave Insurance Program. Today we chose to send this co-sponsor request as this date marks the 25<sup>th</sup> anniversary of FMLA (Family Medical Leave Act). This legislation will provide 12 weeks of family and medical leave benefits, which will permit individuals to care for a family member, bond with a new child, or address their own serious health condition.

Out of 178 countries worldwide, the United States is one of three that does not provide paid leave to new mothers. So far five states—California, New Jersey, New York, Hawaii and Rhode Island offer some sort of paid leave to men and women who provide care. The federal Family Medical Leave Act provides 12 weeks of leave for family and medical reasons. This time is unpaid and employers with fewer than 50 employees are exempt, which eliminates a large segment of workers. Ohio should lead on the issue of paid leave to grow our economy and allow working people to put family first.

The program will be under the purview of the Department of Job and Family Services. An individual would receive leave insurance benefits for: a health condition which makes him/her unable to perform their job duties; caring for a new child during after birth, adoption, or foster care placement; caring for a child, parent, or spouse who has a serious health condition; or the individual is taking any other leave as authorized by the federal Family and Medical Leave Act. In order to be eligible for program benefits, an individual must file a claim with ODJFS; must have worked at least 680 hours during the base period; premiums have been withheld and remitted for at least one year; and the leave must be for the above-mentioned purposes.

Once established, program benefits will be paid by assessing premiums on employees. Employers will be required to deduct and withhold premiums from employee's wages. However, an employer may opt to pay the contributions on behalf of employees.

An employee who is covered by an employer policy or collective bargaining agreement that provides the employee with greater leave than that provided by the Family and Medical Leave Act may elect not to participate in the Program in accordance with rules adopted by the Director. An employee who elects to opt out of participating in the Program is not liable for any premium or contribution that would otherwise be due under the Program.

Working people in Ohio should not have to worry about losing their job or falling behind financially just to take care of a sick child or relative; address their own serious health condition; or care for and bond with their newborn child. Ohio cities like Dayton and Cincinnati are leading on leave. By allowing working people to put their family first, we can truly make Ohio a better place to live, work, and raise a family.

If you have any questions or would like to co-sponsor this legislation, please contact Dominic Paretti, at 614-644-5079 or via email at [Dominic.Paretti@OhioHouse.Gov](mailto:Dominic.Paretti@OhioHouse.Gov) and Serena Finlay, 614-466-1896 or via email at [Serena.Finlay@OhioHouse.Gov](mailto:Serena.Finlay@OhioHouse.Gov). **The deadline to co-sponsor is Friday, March 9 at 4:00pm.**



**Janine Boyd**  
State Representative, Ohio House District 09

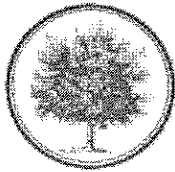


**Kristin Boggs**  
State Representative, Ohio House District 18

**From:** The Buckeye Institute  
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**To:** Kasych, Shawn  
**Subject:** The Buckeye Institute: Ohio's Employment Rate Springs Ahead, While Unemployment Still Above National Average

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## **The Buckeye Institute: Ohio's Employment Rate Springs Ahead, While Unemployment Still Above National Average**

**Columbus, OH** -- Andrew J. Kidd, Ph.D., an economist at the **Economic Research Center (ERC)** at **The Buckeye Institute**; and Rea S. Hederman Jr., executive director of the ERC and vice president of policy at Buckeye, commented on newly released employment data from the **Ohio Department of Job and Family Services**.

"Ohio's unemployment rate declined from 4.9 percent in December to 4.7 percent in January, continuing a positive economic path for Ohio's labor market. However, Ohio's unemployment rate still remains well above the national average of 4.1 percent, indicating there are still obstacles that policymakers need to address to make Ohio a national leader.

"Also concerning is that Ohio's unemployment rate declined due partially to fewer Ohioans being in the job market as labor force participation dipped below the national average. This signifies some job seekers may have become discouraged and stopped searching for employment.

"Ohio experienced an 8,900 increase in non-farm private employment in January 2018, nearly five times the growth from December 2017 and accounting for more than a third of the number of new jobs since January 2017. Although this is only one month with such large gains, this is an indication that Ohio's labor market is strengthening and expanding.

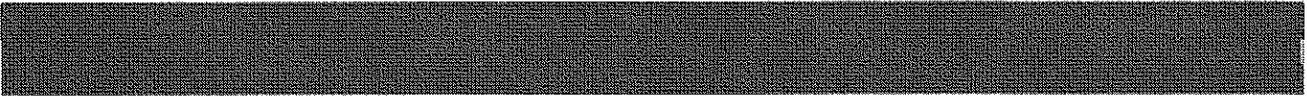
"Much of this job growth was in construction, which saw an increase of 2,600 jobs. This bodes well for the industry, which had seen declines in the latter part of 2017, and could be indicative of further development and economic growth. Mining and logging also continued to rebound after years of struggle, growing by 5.5 percent in 2017.

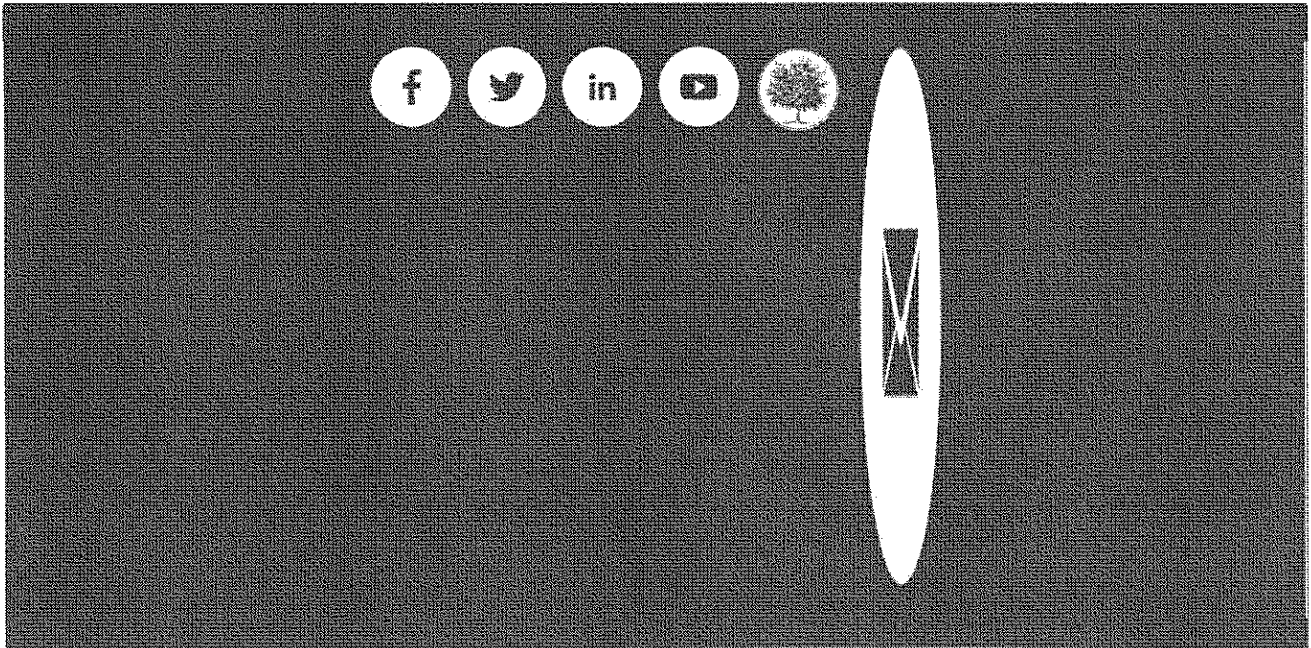
= A"Overall, Ohio's labor market continues to trend in the right direction but discouraged workers and decreases in lower-skilled jobs such as manufacturing (-1,400), and leisure and hospitality (-1,700), show there needs to be fewer barriers that prevent people who are seeking to improve their skills through training and licensing from attaining the jobs they desire."

###

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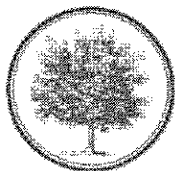
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**The Buckeye Institute: Capital Budget Riddled with  
Pork Projects that Benefit Only Narrow Local Interests**  
*Greg Lawson Testifies Before Ohio Senate Committee on House Bill 529*

**Columbus, OH --** The Buckeye Institute's Greg R. Lawson testified today (see full text below or [download a PDF](#)) before the Ohio Senate Finance Committee on House Bill 529, Ohio's 2018 capital budget.

As he did in his testimony before the Ohio House Finance Committee, Lawson recognized that in many ways the 2018 capital budget adheres to the spending principles outlined in *Principled Spending: Using Ohio's Capital Budget to Benefit Ohioans*. However, he went on to say, "We are concerned that this budget, like others before, remains riddled with too

many special interest requests, local projects, and some potential boondoggles that veer from providing core government services and infrastructure."

In highlighting the special interest projects, Lawson again drew special attention to the 10 that made Buckeye's **Top 10 Worst Capital Budget Requests of 2018**, saying, "We highlight more than \$18 million of taxpayer dollars spent on pork projects that benefit only narrow local interests and not broader statewide needs. And that \$18 million is just the tip of the proverbial iceberg. All of the special interest projects combined pushes that total to at least \$85 million. That is at least \$85 million of pork that could be spent on more pressing priorities, saved, or returned to taxpayers."

###

**Interested Party Testimony on House Bill 529  
Before the Ohio Senate Finance Committee**

**Greg R. Lawson, Research Fellow  
The Buckeye Institute  
March 13, 2018**

Chairman Oelslager, Vice Chair Manning, Ranking Member Skindell, and members of the Committee, thank you for the opportunity to testify today regarding the Capital Budget.

My name is Greg R. Lawson. I am the research fellow at **The Buckeye Institute**, an independent research and educational institution -- a think tank -- whose mission is to advance free-market public policy in the states.

On February 5, The Buckeye Institute released its report, *Principled Spending: Using Ohio's Capital Budget to Benefit Ohioans*, which outlined ways to keep Ohio's capital budget focused on principled government spending.[1] Our report encouraged policymakers to be guided by three spending principles: constrain the growth of government, eliminate corporate and special interest welfare, and focus on strengthening Ohio's physical and democratic infrastructures.

In many ways, Ohio's \$2.62 billion budget adheres to these basic principles, but we are concerned that this budget, like others before, remains riddled with too many special interest requests, local projects, and some potential boondoggles that veer from providing core government services and infrastructure.

The Buckeye Institute has just released its Top 10 Worst Capital Budget Requests of 2018,[2] in which we highlight more than \$18 million of taxpayer dollars spent on pork projects that benefit only narrow local interests and not broader state-wide needs. And that \$18 million is just the tip of the proverbial iceberg. All of the special interest projects combined pushes that total to at least \$85 million. That is at least \$85 million of pork that could be spent on more pressing priorities, saved, or returned to taxpayers.

Regrettably, examples of non-essential government spending abound. The \$5 million to build retail and restaurant space at COSI in Columbus -- not essential government spending. The \$1 million for orangutan and elephant exhibits at the Columbus Zoo -- already subsidized by Franklin County property owners -- not essential government spending. The \$800,000 to install splash pads around the state -- not essential government spending. And the \$4 million slated for a soccer stadium in Cincinnati -- not essential government spending and not likely to live up to the economic hype. As the St. Louis Federal Reserve concluded last year:

Consumers who spend money on sporting events would likely spend the money on other forms of entertainment, which has a similar economic impact. Rather than subsidizing sports stadiums, governments could finance other projects such as infrastructure or education that have the potential to increase productivity and promote economic growth.[3]

Ultimately, of course, local residents and local taxpayers should have every opportunity to voluntarily choose to fund amphitheaters, performance stages, parks, zoos, and even stadiums out of their own local resources. But Cleveland residents should not be compelled -- through state taxes -- to pay for the Columbus Zoo, nor should Youngstown residents be made to pay for a soccer venue in Cincinnati.

Then there is the \$400,000 appropriation to build several government-owned broadband networks across the state. As I outlined recently in *Broadband "GON" Wrong*,[4] private-sector players have already deployed billions of dollars developing state-of-the-art technology to nimbly respond to consumer demands and preferences, while these government-owned networks have proven unable to pay for themselves, leaving taxpayers to pay for networks that few consumers even want to use.

That communities are asking for state money in the capital budget indicates that these networks all too frequently fail to live up to the promises made by government officials, and often lead to further taxpayer subsidies to maintain operations.

Many of the other local projects are not inherently misguided, but insofar as they provide only narrow local benefits and do not strengthen Ohio's physical infrastructure, state policymakers should remove them from the capital budget. Those funds should instead be spent on Ohio's pressing needs, such as building and maintaining water and sewer systems, and state roads.

We are also disappointed that this capital budget will not strengthen the state's democratic infrastructure, including, for example, replacing Ohio's aging voting machines. Such funding appears allocated in separate legislation, but the capital budget was not then reduced to maintain spending balance -- and it should have been.

Finally, and perhaps most critically, policymakers must remember that a lack of fiscal restraint, even during good economic times, unwittingly creates unrealistic spending expectations over time. Using the capital budget to fund local projects rather than state priorities will only make it harder for policymakers to curb and manage state spending when tough economic times inevitably arrive.

Today, even as the state budget looks solidly in the black, the danger of recession and fiscal instability still lurks. Recall, for instance, how unforeseen challenges required immediate and multiple adjustments to the last biennial budget due to lower than expected revenues. Prudence cautions against the tempting but non-essential government spending included in this capital budget. For the sake of Ohio taxpayers, such temptation must be resisted.

Thank you and I look forward to answering any questions that the Committee may have at this time.

---

[1] Greg R. Lawson and Quinn Beeson, *Principled Spending: Using Ohio's Capital Budget to Benefit Ohioans*, The Buckeye Institute, February 5, 2018.

[2] *More Than \$18 Million Spent on The Buckeye Institute's Top 10 List of Worst Capital Budget Requests*, The Buckeye Institute press release, March 5, 2018.

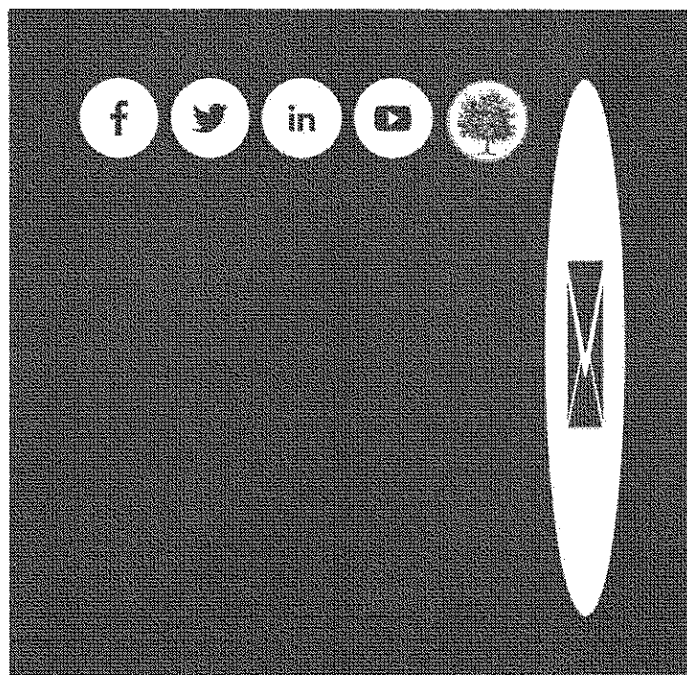
[3] Scott A. Wolla, *The Economics of Subsidizing Sports Stadiums*, Federal Reserve Bank of St. Louis, May 2017.

[4] Greg R. Lawson, *Broadband "GON" Wrong: Remembering Why Government-Owned Broadband Networks are Bad for Taxpayers*, The Buckeye Institute, February 14, 2018.

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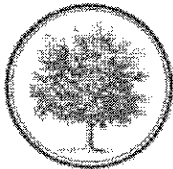
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**Subject:** The Buckeye Institute: "Sue and Settle" Circumvents Constitutional Role of the Peoples' Elected Representatives to Make Policy

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**FOR IMMEDIATE RELEASE**

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### **The Buckeye Institute: "Sue and Settle" Circumvents Constitutional Role of the Peoples' Elected Representatives to Make Policy**

*Greg Lawson Testifies Before Ohio House Government  
Accountability and Oversight Committee on House Bill 301*

**Columbus, OH --** The Buckeye Institute's Greg R. Lawson testified today (see full text below or [download a PDF](#)) before the Ohio House Government Accountability and Oversight Committee on House Bill 301.

In opening his testimony, Lawson noted that the practice of "sue and settle" is a "pernicious but all-too-common practice" that "circumvent[s] the constitutional prerogative of the General Assembly to make policy."